

Bill No. SB 2222

Amendment No. 1

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Natural Resources recommended the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

Section 1. Paragraph (c) of subsection (1), paragraph (a) of subsection (2), and subsection (8) of section 201.15, Florida Statutes, are amended to read:

201.15 Distribution of taxes collected.--All taxes collected under this chapter shall be distributed as follows and shall be subject to the service charge imposed in s. 215.20(1), except that such service charge shall not be levied against any portion of taxes pledged to debt service on bonds to the extent that the amount of the service charge is required to pay any amounts relating to the bonds:

(1) Sixty-two and sixty-three hundredths percent of the remaining taxes collected under this chapter shall be used for the following purposes:

(c) The remainder of the moneys distributed under this

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1 subsection, after the required payments under paragraphs (a)  
2 and (b), shall be paid into the State Treasury to the credit  
3 of the General Revenue Fund of the state to be used and  
4 expended for the purposes for which the General Revenue Fund  
5 was created and exists by law or to the Ecosystem Management  
6 and Restoration Trust Fund or to the Marine Resource  
7 Conservation Trust Fund as provided in subsection (8).

8 (2) Seven and fifty-six hundredths percent of the  
9 remaining taxes collected under this chapter shall be used for  
10 the following purposes:

11 (a) Beginning in the month following the final payment  
12 for a fiscal year under paragraph (1)(b), available moneys  
13 shall be paid into the State Treasury to the credit of the  
14 General Revenue Fund of the state to be used and expended for  
15 the purposes for which the General Revenue Fund was created  
16 and exists by law or to the Ecosystem Management and  
17 Restoration Trust Fund or to the Marine Resource Conservation  
18 Trust Fund as provided in subsection (8). Payments made under  
19 this paragraph shall continue until the cumulative amount  
20 credited to the General Revenue Fund for the fiscal year under  
21 this paragraph equals the cumulative payments made under  
22 paragraph (1)(b) for the same fiscal year.

23 (8) From the moneys specified in paragraphs (1)(c) and  
24 (2)(a) and prior to deposit of any moneys into the General  
25 Revenue Fund, ~~\$30~~<sup>\$10</sup> million shall be paid into the State  
26 Treasury to the credit of the Ecosystem Management and  
27 Restoration Trust Fund in fiscal year ~~1998-1999, \$20 million~~  
28 ~~in fiscal year 1999-2000, and \$30 million in fiscal year~~  
29 2000-2001 and each fiscal year thereafter, to be used for the  
30 preservation and repair of the state's beaches as provided in  
31 ss. 161.091-161.212 and \$2 million shall be paid into the

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1 State Treasury to the credit of the Marine Resources  
2 Conservation Trust Fund to be used for marine mammal care as  
3 provided in s. 370.0603(3).

4 Section 2. Effective July 1, 2001, paragraph (c) of  
5 subsection (1), paragraph (a) of subsection (2), and  
6 subsection (11) of section 201.15, Florida Statutes, as  
7 amended by section 2 of chapter 99-247, Laws of Florida, are  
8 amended to read:

9 201.15 Distribution of taxes collected.--All taxes  
10 collected under this chapter shall be distributed as follows  
11 and shall be subject to the service charge imposed in s.  
12 215.20(1), except that such service charge shall not be levied  
13 against any portion of taxes pledged to debt service on bonds  
14 to the extent that the amount of the service charge is  
15 required to pay any amounts relating to the bonds:

16 (1) Sixty-two and sixty-three hundredths percent of  
17 the remaining taxes collected under this chapter shall be used  
18 for the following purposes:

19 (c) The remainder of the moneys distributed under this  
20 subsection, after the required payments under paragraph (a),  
21 shall be paid into the State Treasury to the credit of the  
22 General Revenue Fund of the state to be used and expended for  
23 the purposes for which the General Revenue Fund was created  
24 and exists by law or to the Ecosystem Management and  
25 Restoration Trust Fund or to the Marine Resources Conservation  
26 Trust Fund as provided in subsection (11).

27 (2) Seven and fifty-six hundredths percent of the  
28 remaining taxes collected under this chapter shall be used for  
29 the following purposes:

30 (a) Beginning in the month following the final payment  
31 for a fiscal year under paragraph (1)(b), available moneys

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1 shall be paid into the State Treasury to the credit of the  
2 General Revenue Fund of the state to be used and expended for  
3 the purposes for which the General Revenue Fund was created  
4 and exists by law or to the Ecosystem Management and  
5 Restoration Trust Fund or to the Marine Resources Conservation  
6 Trust Fund as provided in subsection (11). Payments made under  
7 this paragraph shall continue until the cumulative amount  
8 credited to the General Revenue Fund for the fiscal year under  
9 this paragraph equals the cumulative payments made under  
10 paragraph (1)(b) for the same fiscal year.

11 (11) From the moneys specified in paragraphs (1)(c)  
12 and (2)(a) and prior to deposit of any moneys into the General  
13 Revenue Fund, ~~\$30~~~~\$10~~ million shall be paid into the State  
14 Treasury to the credit of the Ecosystem Management and  
15 Restoration Trust Fund in fiscal year ~~1998-1999~~, ~~\$20 million~~  
16 ~~in fiscal year 1999-2000~~, and ~~\$30 million in fiscal year~~  
17 2000-2001 and each fiscal year thereafter, to be used for the  
18 preservation and repair of the state's beaches as provided in  
19 ss. 161.091-161.212 and \$2 million shall be paid into the  
20 State Treasury to the credit of the Marine Resources  
21 Conservation Trust Fund to be used for marine mammal care as  
22 provided in s. 370.0603(3).

23 Section 3. Subsection (11) of section 328.72, Florida  
24 Statutes, is amended to read:

25 328.72 Classification; registration; fees and charges;  
26 surcharge; disposition of fees; fines; marine turtle  
27 stickers.--

28 (11) VOLUNTARY CONTRIBUTIONS.--The application form  
29 for boat registration shall include a provision to allow each  
30 applicant to indicate a desire to pay an additional voluntary  
31 contribution to the Save the Manatee Trust Fund for manatee

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1 and marine mammal research, protection, recovery, rescue,  
2 rehabilitation, and release. This contribution shall be in  
3 addition to all other fees and charges. The amount of the  
4 request for a voluntary contribution solicited shall be \$2 or  
5 \$5 per registrant. A registrant who provides a voluntary  
6 contribution of \$5 or more shall be given a sticker or emblem  
7 by the tax collector to display, which signifies support for  
8 the Save the Manatee Trust Fund. All voluntary contributions  
9 shall be deposited in the Save the Manatee Trust Fund for use  
10 according to this subsection. ~~The first \$2 of Voluntary~~  
11 ~~contribution by a vessel registrant shall be available for the~~  
12 ~~manatee protection and recovery effort pursuant to s.~~  
13 ~~370.12(4)s. 370.12(4)(a). Any additional amount of voluntary~~  
14 ~~contribution by a vessel registrant shall also be for the~~  
15 ~~purpose of the manatee protection and recovery effort, except~~  
16 ~~that any voluntary contribution in excess of the first \$2~~  
17 ~~voluntary contribution by a vessel registrant but not~~  
18 ~~exceeding \$2 shall be available for manatee rehabilitation by~~  
19 ~~those facilities approved to rescue, rehabilitate, and release~~  
20 ~~manatees pursuant to s. 370.12(4)(b).The form shall also~~  
21 include language permitting a voluntary contribution of \$5 per  
22 applicant, which contribution shall be transferred into the  
23 Election Campaign Financing Trust Fund. A statement providing  
24 an explanation of the purpose of the trust fund shall also be  
25 included.

26 Section 4. Subsection (1) of section 328.76, is  
27 amended to read:

28 328.76 Marine Resources Conservation Trust Fund;  
29 vessel registration funds; appropriation and distribution.--

30 (1) Except as otherwise specified and less any  
31 administrative costs, all funds collected from the

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1 registration of vessels through the Department of Highway  
2 Safety and Motor Vehicles and the tax collectors of the state  
3 shall be deposited in the Marine Resources Conservation Trust  
4 Fund for recreational channel marking; public launching  
5 facilities; law enforcement and quality control programs;  
6 aquatic weed control; manatee protection, recovery, rescue,  
7 rehabilitation, and release; and marine mammal protection and  
8 recovery. The funds collected pursuant to s. 328.72(1) shall  
9 be transferred as follows:

10 (a) In each fiscal year, an amount equal to \$1.50~~\$1~~  
11 for each vessel registered in this state shall be transferred  
12 to the Save the Manatee Trust Fund for manatee and marine  
13 mammal research, protection, and recovery in accordance with  
14 the provisions of s. 370.12(4)(a).

15 ~~(b) In addition, in each fiscal year, an amount equal~~  
16 ~~to 50 cents for each vessel registered in this state shall be~~  
17 ~~transferred to the Save the Manatee Trust Fund in accordance~~  
18 ~~with the provisions of s. 370.12(4)(b) for use by those~~  
19 ~~facilities approved to rescue, rehabilitate, and release~~  
20 ~~manatees as authorized pursuant to the Fish and Wildlife~~  
21 ~~Service of the United States Department of the Interior.~~

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

26 (c)~~(d)~~ Forty percent of the registration fees from  
27 commercial vessels shall be used for law enforcement and  
28 quality control programs.

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

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1           Section 5. Subsection (3) is added to section  
2 370.0603, Florida Statutes, to read:

3           370.0603 Marine Resources Conservation Trust Fund;  
4 purposes.--

5           (3) Funds provided to the Marine Resources  
6 Conservation Trust Fund from taxes distributed under s.  
7 201.15(9), shall be used for the following purposes:

8           (a) To reimburse the cost of activities authorized  
9 pursuant to the Fish and Wildlife Service of the United States  
10 Department of the Interior. Such facilities must be involved  
11 in the actual rescue and full-time acute care  
12 veterinarian-based rehabilitation of manatees. The cost of  
13 activities includes, but is not limited to, costs associated  
14 with expansion, capital outlay, repair, maintenance, and  
15 operation related to the rescue, treatment, stabilization,  
16 maintenance, release, and monitoring of manatees. Moneys  
17 distributed through the contractual agreement to each facility  
18 for manatee rehabilitation must be proportionate to the number  
19 of manatees under acute care rehabilitation and those released  
20 during the previous fiscal year. The commission may set a cap  
21 on the total amount reimbursed per manatee per year.

22           (b) For training on the care, treatment, and  
23 rehabilitation of marine mammals at the Whitney Laboratory and  
24 the Veterinary School of Medicine at the University of  
25 Florida.

26           (c) For program administration costs of the agency.

27           (d) Funds not distributed in any 1 fiscal year must be  
28 carried over for distribution in subsequent years.

29           Section 6. Subsection (4) of section 370.12, Florida  
30 Statutes, is amended to read:

31           370.12 Marine animals; regulation.--

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1           (4) ANNUAL FUNDING OF PROGRAMS FOR MARINE ANIMALS.--  
2           ~~(a)~~ Each fiscal year the Save the Manatee Trust Fund  
3 shall be available to fund an impartial scientific benchmark  
4 census of the manatee population in the state. Weather  
5 permitting, the study shall be conducted annually by the Fish  
6 and Wildlife Conservation Commission and the results shall be  
7 made available to the President of the Senate, the Speaker of  
8 the House of Representatives, and the Governor and Cabinet for  
9 use in the evaluation and development of manatee protection  
10 measures. In addition, the Save the Manatee Trust Fund shall  
11 be available for annual funding of activities of public and  
12 private organizations and those of the commission intended to  
13 provide manatee and marine mammal protection and recovery  
14 effort; manufacture and erection of informational and  
15 regulatory signs; production, publication, and distribution of  
16 educational materials; participation in manatee and marine  
17 mammal research programs, including carcass salvage and other  
18 programs; programs intended to assist the recovery of the  
19 manatee as an endangered species, assist the recovery of the  
20 endangered or threatened marine mammals, and prevent the  
21 endangerment of other species of marine mammals; and other  
22 similar programs intended to protect and enhance the recovery  
23 of the manatee and other species of marine mammals. The  
24 commission shall annually solicit advisory recommendations  
25 from the Save the Manatee Committee affiliated with the Save  
26 the Manatee Club, as identified and recognized in Executive  
27 Order 85-19, on the use of funds from the Save the Manatee  
28 Trust Fund.

29           ~~(b) Each fiscal year moneys in the Save the Manatee~~  
30 ~~Trust Fund shall also be used, pursuant to s. 328.76(1)(b), to~~  
31 ~~reimburse the cost of activities related to manatee~~



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~~1 rehabilitation by facilities that rescue, rehabilitate, and~~  
~~2 release manatees as authorized pursuant to the Fish and~~  
~~3 Wildlife Service of the United States Department of the~~  
~~4 Interior. Such facilities must be involved in the actual~~  
~~5 rescue and full-time acute care veterinarian-based~~  
~~6 rehabilitation of manatees. The cost of activities includes,~~  
~~7 but is not limited to, costs associated with expansion,~~  
~~8 capital outlay, repair, maintenance, and operations related to~~  
~~9 the rescue, treatment, stabilization, maintenance, release,~~  
~~10 and monitoring of manatees. Moneys distributed through~~  
~~11 contractual agreement to each facility for manatee~~  
~~12 rehabilitation shall be proportionate to the number of~~  
~~13 manatees under acute care rehabilitation and those released~~  
~~14 during the previous fiscal year. However, the reimbursement~~  
~~15 may not exceed the total amount available pursuant to ss.~~  
~~16 328.72(11) and 328.76(1)(b) for the purposes provided in this~~  
~~17 paragraph. Prior to receiving reimbursement for the expenses~~  
~~18 of rescue, rehabilitation, and release, a facility that~~  
~~19 qualifies under state and federal regulations shall submit a~~  
~~20 plan to the Fish and Wildlife Conservation Commission for~~  
~~21 assisting the commission and the Department of Highway Safety~~  
~~22 and Motor Vehicles in marketing the manatee specialty license~~  
~~23 plates. At a minimum, the plan shall include provisions for~~  
~~24 graphics, dissemination of brochures, recorded oral and visual~~  
~~25 presentation, and maintenance of a marketing exhibit. The plan~~  
~~26 shall be updated annually, and the Fish and Wildlife~~  
~~27 Conservation Commission shall inspect each marketing exhibit~~  
~~28 at least once each year to ensure the quality of the exhibit~~  
~~29 and promotional material. Each facility that receives funds~~  
~~30 for manatee rehabilitation shall annually provide the~~  
~~31 commission a written report, within 30 days after the close of~~

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1 ~~the state fiscal year, documenting the efforts and~~  
2 ~~effectiveness of the facility's promotional activities.~~

3       **(b)**~~(c)~~ By December 1 each year, the Fish and Wildlife  
4 Conservation Commission shall provide the President of the  
5 Senate and the Speaker of the House of Representatives a  
6 written report, enumerating the amounts and purposes for which  
7 all proceeds in the Save the Manatee Trust Fund for the  
8 previous fiscal year are expended, in a manner consistent with  
9 those recovery tasks enumerated within the manatee recovery  
10 plan as required by the Endangered Species Act.

11       **(c)**~~(d)~~ When the federal and state governments remove  
12 the manatee from status as an endangered or threatened  
13 species, the annual allocation may be reduced.

14       Section 7. The sum of \$2 million is appropriated to  
15 the Fish and Wildlife Conservation Commission from the Marine  
16 Resources Conservation Trust Fund beginning in fiscal year  
17 2000-2001 to be expended as follows: \$810,000 for training in  
18 the care of marine mammals at the Whitney Laboratory and the  
19 Veterinary School of Medicine at the University of Florida, up  
20 to \$1,150,000 for the care of marine mammals at licensed  
21 research facilities pursuant to s. 370.0603(3), and up to  
22 \$40,000 for program administration costs of the agency.

23       Section 8. This act shall take effect July 1, 2000.

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

27 And the title is amended as follows:

28       On page 1, lines 3 through 7, delete those lines

29  
30 and insert:

31       201.15, F.S.; providing for the distribution of

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1 certain documentary stamp tax revenues to the  
2 Marine Resource Conservation Trust Fund to be  
3 used for marine mammal care; amending s.  
4 201.15, F.S.; providing for the distribution of  
5 certain documentary stamp tax revenues to the  
6 Marine Resource Conservation Trust Fund to be  
7 used for marine mammal care, effective July 1,  
8 2001; amending s. 328.72, F.S.; revising the  
9 process of handling voluntary contributions for  
10 manatee protection; amending s. 328.76, F.S.;  
11 eliminating the transfer of certain registered  
12 vessel revenues to the Save the Manatee Trust  
13 Fund; amending s. 370.0603, F.S.; providing  
14 requirements for the use of funds in the Marine  
15 Resource Conservation Trust Fund; amending s.  
16 370.12, F.S.; eliminating requirements for the  
17 use of specified funds for manatee  
18 rehabilitation from the Save the Manatee Trust  
19 Fund; providing an appropriation; providing an  
20 effective date.

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