

Bill No. CS for CS for SB 240

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Burt moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 29, between lines 11 and 12,		
15			
16	insert:		
17	Section 12. Paragraph (c) of subsection (1), paragraph		
18	(a) of subsection (2), and subsection (8) of section 201.15,		
19	Florida Statutes, are amended to read:		
20	201.15 Distribution of taxes collected.--All taxes		
21	collected under this chapter shall be distributed as follows		
22	and shall be subject to the service charge imposed in s.		
23	215.20(1), except that such service charge shall not be levied		
24	against any portion of taxes pledged to debt service on bonds		
25	to the extent that the amount of the service charge is		
26	required to pay any amounts relating to the bonds:		
27	(1) Sixty-two and sixty-three hundredths percent of		
28	the remaining taxes collected under this chapter shall be used		
29	for the following purposes:		
30	(c) The remainder of the moneys distributed under this		
31	subsection, after the required payments under paragraphs (a)		

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

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

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

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

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1 Conservation Trust Fund to be used for marine mammal care as
2 provided in s. 370.0603(3).

3 Section 13. Effective July 1, 2001, paragraph (c) of
4 subsection (1), paragraph (a) of subsection (2), and
5 subsection (11) of section 201.15, Florida Statutes, as
6 amended by section 2 of chapter 99-247, Laws of Florida, are
7 amended to read:

8 201.15 Distribution of taxes collected.--All taxes
9 collected under this chapter shall be distributed as follows
10 and shall be subject to the service charge imposed in s.
11 215.20(1), except that such service charge shall not be levied
12 against any portion of taxes pledged to debt service on bonds
13 to the extent that the amount of the service charge is
14 required to pay any amounts relating to the bonds:

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

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

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

29 (a) Beginning in the month following the final payment
30 for a fiscal year under paragraph (1)(b), available moneys
31 shall be paid into the State Treasury to the credit of the

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

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

22 Section 14. Subsection (11) of section 328.72, Florida
 23 Statutes, is amended to read:

24 328.72 Classification; registration; fees and charges;
 25 surcharge; disposition of fees; fines; marine turtle
 26 stickers.--

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

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

25 Section 15. Subsection (1) of section 328.76, is
26 amended to read:

27 328.76 Marine Resources Conservation Trust Fund;
28 vessel registration funds; appropriation and distribution.--

29 (1) Except as otherwise specified and less any
30 administrative costs, all funds collected from the
31 registration of vessels through the Department of Highway

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

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

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

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

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

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

31 Section 16. Subsection (3) is added to section

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1 370.0603, Florida Statutes, to read:

2 370.0603 Marine Resources Conservation Trust Fund;
3 purposes.--

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

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

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

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

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

30 Section 17. Subsection (4) of section 370.12, Florida
31 Statutes, is amended to read:

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1 370.12 Marine animals; regulation.--
2 (4) ANNUAL FUNDING OF PROGRAMS FOR MARINE ANIMALS.--
3 ~~(a)~~ Each fiscal year the Save the Manatee Trust Fund
4 shall be available to fund an impartial scientific benchmark
5 census of the manatee population in the state. Weather
6 permitting, the study shall be conducted annually by the Fish
7 and Wildlife Conservation Commission and the results shall be
8 made available to the President of the Senate, the Speaker of
9 the House of Representatives, and the Governor and Cabinet for
10 use in the evaluation and development of manatee protection
11 measures. In addition, the Save the Manatee Trust Fund shall
12 be available for annual funding of activities of public and
13 private organizations and those of the commission intended to
14 provide manatee and marine mammal protection and recovery
15 effort; manufacture and erection of informational and
16 regulatory signs; production, publication, and distribution of
17 educational materials; participation in manatee and marine
18 mammal research programs, including carcass salvage and other
19 programs; programs intended to assist the recovery of the
20 manatee as an endangered species, assist the recovery of the
21 endangered or threatened marine mammals, and prevent the
22 endangerment of other species of marine mammals; and other
23 similar programs intended to protect and enhance the recovery
24 of the manatee and other species of marine mammals. The
25 commission shall annually solicit advisory recommendations
26 from the Save the Manatee Committee affiliated with the Save
27 the Manatee Club, as identified and recognized in Executive
28 Order 85-19, on the use of funds from the Save the Manatee
29 Trust Fund.
30 ~~(b) Each fiscal year moneys in the Save the Manatee~~
31 ~~Trust Fund shall also be used, pursuant to s. 328.76(1)(b), to~~

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

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1 ~~commission a written report, within 30 days after the close of~~
2 ~~the state fiscal year, documenting the efforts and~~
3 ~~effectiveness of the facility's promotional activities.~~

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

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

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

24
25 (Redesignate subsequent sections.)

26
27
28 ===== T I T L E A M E N D M E N T =====

29 And the title is amended as follows:

30 On page 2, line 15, after the first semicolon,

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

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