

Bill No. CS for CS for SB 386, 1st Eng.

Amendment No. ____

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Burt moved the following amendment to amendment (431061):

Senate Amendment (with title amendment)

On page 62, between lines 11 and 12,

insert:

Section 42. 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~~^{\$10} 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 43. 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 44. Subsection (3) is added to section
 24 370.0603, Florida Statutes, to read:

25 370.0603 Marine Resources Conservation Trust Fund;
 26 purposes.--

27 (3) Funds provided to the Marine Resources
 28 Conservation Trust Fund from taxes distributed under s.
 29 201.15(9), shall be used for the following purposes:

30 (a) To reimburse the cost of activities authorized
 31 pursuant to the Fish and Wildlife Service of the United States

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1 Department of the Interior. Such facilities must be involved
2 in the actual rescue and full-time acute care
3 veterinarian-based rehabilitation of manatees. The cost of
4 activities includes, but is not limited to, costs associated
5 with expansion, capital outlay, repair, maintenance, and
6 operation related to the rescue, treatment, stabilization,
7 maintenance, release, and monitoring of manatees. Moneys
8 distributed through the contractual agreement to each facility
9 for manatee rehabilitation must be proportionate to the number
10 of manatees under acute care rehabilitation; the number of
11 maintenance days medically necessary in the facility; and the
12 number released during the previous fiscal year. The
13 commission may set a cap on the total amount reimbursed per
14 manatee per year.

15 (b) For training on the care, treatment, and
16 rehabilitation of marine mammals at the Whitney Laboratory and
17 the Veterinary School of Medicine at the University of
18 Florida.

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

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

22 Section 45. Subsection (4) of section 370.12, Florida
23 Statutes, is amended to read:

24 370.12 Marine animals; regulation.--

25 (4) ANNUAL FUNDING OF PROGRAMS FOR MARINE ANIMALS.--

26 ~~(a)~~ Each fiscal year the Save the Manatee Trust Fund
27 shall be available to fund an impartial scientific benchmark
28 census of the manatee population in the state. Weather
29 permitting, the study shall be conducted annually by the Fish
30 and Wildlife Conservation Commission and the results shall be
31 made available to the President of the Senate, the Speaker of

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1 the House of Representatives, and the Governor and Cabinet for
2 use in the evaluation and development of manatee protection
3 measures. In addition, the Save the Manatee Trust Fund shall
4 be available for annual funding of activities of public and
5 private organizations and those of the commission intended to
6 provide manatee and marine mammal protection and recovery
7 effort; manufacture and erection of informational and
8 regulatory signs; production, publication, and distribution of
9 educational materials; participation in manatee and marine
10 mammal research programs, including carcass salvage and other
11 programs; programs intended to assist the recovery of the
12 manatee as an endangered species, assist the recovery of the
13 endangered or threatened marine mammals, and prevent the
14 endangerment of other species of marine mammals; and other
15 similar programs intended to protect and enhance the recovery
16 of the manatee and other species of marine mammals. The
17 commission shall annually solicit advisory recommendations
18 from the Save the Manatee Committee affiliated with the Save
19 the Manatee Club, as identified and recognized in Executive
20 Order 85-19, on the use of funds from the Save the Manatee
21 Trust Fund.

22 ~~(b) Each fiscal year moneys in the Save the Manatee~~
23 ~~Trust Fund shall also be used, pursuant to s. 328.76(1)(b), to~~
24 ~~reimburse the cost of activities related to manatee~~
25 ~~rehabilitation by facilities that rescue, rehabilitate, and~~
26 ~~release manatees as authorized pursuant to the Fish and~~
27 ~~Wildlife Service of the United States Department of the~~
28 ~~Interior. Such facilities must be involved in the actual~~
29 ~~rescue and full-time acute care veterinarian-based~~
30 ~~rehabilitation of manatees. The cost of activities includes,~~
31 ~~but is not limited to, costs associated with expansion,~~

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

27 (b)(c) By December 1 each year, the Fish and Wildlife
28 Conservation Commission shall provide the President of the
29 Senate and the Speaker of the House of Representatives a
30 written report, enumerating the amounts and purposes for which
31 all proceeds in the Save the Manatee Trust Fund for the

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1 previous fiscal year are expended, in a manner consistent with
2 those recovery tasks enumerated within the manatee recovery
3 plan as required by the Endangered Species Act.

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

7 Section 46. The sum of \$2 million is appropriated to
8 the Fish and Wildlife Conservation Commission from the Marine
9 Resources Conservation Trust Fund beginning in fiscal year
10 2000-2001 to be expended as follows: \$810,000 for training in
11 the care of marine mammals at the Whitney Laboratory and the
12 Veterinary School of Medicine at the University of Florida,
13 \$1,150,000 for the care of marine mammals at licensed research
14 facilities pursuant to s. 370.0603(3), and up to \$40,000 for
15 program administration costs of the agency.

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17 (Redesignate subsequent sections.)

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

21 And the title is amended as follows:

22 On page 66, line 16, after the semicolon,

23

24 insert:

25 providing for the distribution of certain
26 documentary stamp tax revenues to the Marine
27 Resource Conservation Trust Fund to be used for
28 marine mammal care; amending s. 201.15, F.S. ;
29 providing for the distribution of certain
30 documentary stamp tax revenues to the Marine
31 Resource Conservation Trust Fund to be used for

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1 marine mammal care, effective July 1, 2001;
2 amending s. 370.0603, F.S.; providing
3 requirements for the use of funds in the Marine
4 Resource Conservation Trust Fund; amending s.
5 370.12, F.S.; eliminating requirements for the
6 use of specified funds for manatee
7 rehabilitation from the Save the Manatee Trust
8 Fund; providing an appropriation;
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