

By Senator Forman

32-708A-00

1 A bill to be entitled
 2 An act relating to the Save Our Everglades Act;
 3 creating s. 259.201, F.S.; creating the Save
 4 Our Everglades Act; defining the term "restudy
 5 project component"; providing legislative
 6 findings; providing for the deposit of
 7 specified funds into the Save Our Everglades
 8 Trust Fund; providing criteria for restoration
 9 projects; providing for the uses of funds;
 10 amending s. 201.15, F.S.; revising the
 11 distribution of documentary stamp tax funds;
 12 providing an effective date.

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

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 16 Section 1. Section 259.201, Florida Statutes, is
 17 created to read:

18 259.201 Save Our Everglades Act.--

19 (1) SHORT TITLE.--This section may be cited as the
 20 "Save Our Everglades Act."

21 (2) DEFINITION.--As used in this act, the term
 22 "restudy project component" means any structural or
 23 operational change, resulting from the Comprehensive Review
 24 Study of the Central and Southern Florida Project, to the
 25 Central and Southern Florida Project as it existed and was
 26 operated as of January 1, 1999, and for which federal
 27 participation was authorized by the federal Water Resources
 28 Development Acts of 1992 and 1996, together with related
 29 congressional resolutions.

30 (3) LEGISLATIVE FINDINGS.--The Legislature finds that:
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1 (a) Human alteration of Florida's natural landscape
2 has interfered with the ability of the Everglades' lakes,
3 wetlands, and estuarine systems to retain or convey water or
4 remove nutrients and sediments from water.

5 (b) The south Florida region's continued growth and
6 economic well-being depend on managing aquatic systems to hold
7 and release rainfall for environmental, agricultural,
8 industrial, and clean drinking water purposes; to support
9 abundant native fish, wildlife, and plant communities; and to
10 enhance aesthetic and recreational uses.

11 (c) Restoration of the damaged ecosystem, including
12 water flow and retention, hydroperiod, nutrient, and sediment
13 removal will be undertaken as part of the restudy pending
14 available funds.

15 (d) Implementation of the restudy is projected to
16 require several billion dollars in matching funds from state
17 sources, and the establishment of a mechanism to provide the
18 needed funding is appropriate at this time.

19 (4) RESTORATION PROJECTS SUPPLEMENTED.--

20 (a) Each year, for 10 consecutive years beginning in
21 fiscal year 2000-2001, \$140 million of the funds provided
22 pursuant to s. 201.15(9) shall be deposited into the Save Our
23 Everglades Trust Fund created by s. 375.047.

24 (b) Each year, for 10 consecutive years beginning in
25 fiscal year 2000-2001, the South Florida Water Management
26 District shall deposit \$60 million into the Save Our
27 Everglades Trust Fund created by s. 375.047.

28 (c) The Department of Environmental Protection shall
29 release funds from the Save Our Everglades Trust Fund to the
30 South Florida Water Management District following receipt of a
31 resolution adopted by the governing board which identifies and

1 justifies the costs of the restudy project component to be
2 funded. The Secretary of Environmental Protection may withhold
3 moneys for any restudy project component for which the costs
4 are not identified and justified. The governing board may
5 appeal any denial to the Land and Water Adjudicatory
6 Commission under s. 373.114.

7 (5) PROJECT CRITERIA.--

8 (a) Funds distributed pursuant to subsection (4) shall
9 be spent only on restudy project components that meet at least
10 one of the following criteria:

11 1. Projects that are joint federal-state partnerships
12 with project plans reflecting cost-share with federal or local
13 governments.

14 2. Projects to restore natural water flows, retain
15 seasonal flows, release impounded water, or improve a system's
16 ability to remove nutrients and sediments.

17 3. Projects that restore freshwater flows to major
18 estuarine systems including Florida Bay and Biscayne Bay.

19 4. Projects that have a goal of restoring native plant
20 and animal communities.

21 5. Projects that meet one or more of the provisions of
22 s. 11(e), Art. VII of the State Constitution.

23 (b) The funds provided by this act may not be used for
24 any restudy project component, or portion thereof, related to
25 the treatment, transmission, or distribution of water for
26 sale, resale, or end-use to consumers.

27 Section 2. Present subsection (9) of section 201.15,
28 Florida Statutes, is redesignated as subsection (10), and a
29 new subsection (9) is added to that section to read:

30 201.15 Distribution of taxes collected.--All taxes
31 collected under this chapter shall be distributed as follows

1 and shall be subject to the service charge imposed in s.
2 215.20(1), except that such service charge shall not be levied
3 against any portion of taxes pledged to debt service on bonds
4 to the extent that the amount of the service charge is
5 required to pay any amounts relating to the bonds:
6 (9) From the moneys specified in paragraphs (1)(c) and
7 (2)(a) and prior to deposit of any moneys into the General
8 Revenue Fund, \$140 million shall be paid into the State
9 Treasury to the credit of the Save Our Everglades Trust Fund
10 created by s. 375.047 in fiscal year 2000-2001 and for 9
11 consecutive years thereafter, to be used as provided in s.
12 259.201.

13 Section 3. This act shall take effect July 1, 2000.

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15 SENATE SUMMARY

16 Creates the Save Our Everglades Act. Provides criteria
17 and funding for projects to restore the Everglades.
18 Distributes documentary stamp taxes to the Save Our
19 Everglades Trust Fund.
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