

By Senator Brown-Waite

10-706-02

1 A bill to be entitled
2 An act relating to water pollution control;
3 amending s. 403.1835, F.S.; revising the
4 authority of the Department of Environmental
5 Protection to provide financial assistance for
6 water pollution control; repealing s.
7 403.804(3), F.S., which provides authority for
8 the Environmental Regulation Commission to
9 approve funding for wastewater or water
10 treatment works; providing an effective date.

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

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14 Section 1. Subsection (3) of section 403.1835, Florida
15 Statutes, is amended to read:

16 403.1835 Water pollution control financial
17 assistance.--

18 (3) The department may provide financial assistance
19 through any program authorized under s. 603 of the Federal
20 Water Pollution Control Act (Clean Water Act), Pub. L. No.
21 92-500, as amended, including, but not limited to, making
22 grants and loans, providing loan guarantees, purchasing loan
23 insurance or other credit enhancements, and buying or
24 refinancing local debt. This financial assistance must be
25 administered in accordance with this section and applicable
26 federal authorities. The department shall administer all
27 programs operated from funds secured through the activities of
28 the Florida Water Pollution Control Financing Corporation
29 under s. 403.1837, to fulfill the purposes of this section.

30 (a) The department may make or request the corporation
31 to make loans to local government agencies, which agencies may

1 | pledge any revenue available to them to repay any funds
2 | borrowed.

3 | (b) The department may make or request the corporation
4 | to make loans, grants, and deposits to other entities eligible
5 | to participate in the financial assistance programs authorized
6 | under the Federal Water Pollution Control Act, or as a result
7 | of other federal action, which entities may pledge any revenue
8 | available to them to repay any funds borrowed. Notwithstanding
9 | s. 18.10, the department may make deposits to financial
10 | institutions that earn less than the prevailing rate for
11 | United States Treasury securities with corresponding
12 | maturities for the purpose of enabling those financial
13 | institutions to make below-market-interest-rate loans to
14 | entities qualified to receive loans under this section and the
15 | rules of the department.

16 | (c) The department shall administer financial
17 | assistance so that at least 15 percent of the funding made
18 | available each year under this section is reserved for use by
19 | small communities during the year it is reserved.

20 | (d) The department may make grants to financially
21 | disadvantaged small communities, as defined in s. 403.1838,
22 | using funds made available from grant allocations on loans
23 | authorized under subsection (4). The grants must be
24 | administered in accordance with s. 403.1838.

25 | Section 2. Subsection (3) of section 403.804, Florida
26 | Statutes, is repealed.

27 | Section 3. This act shall take effect upon becoming a
28 | law.

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SENATE SUMMARY

Authorizes the Department of Environmental Protection to create a process for providing below-market-interest-rate loans for water pollution control. Removes the approval authority of the Environmental Regulation Commission for funding of wastewater or water treatment works.