

By Representative Dockery

1                                   A bill to be entitled  
2           An act relating to the distribution of motor  
3           and other fuel taxes; amending s. 206.606,  
4           F.S.; requiring that sales tax revenues  
5           generated by the sale of motor and other fuels  
6           at marinas be transferred to the Fish and  
7           Wildlife Conservation Commission; specifying  
8           the purposes for which the revenues transferred  
9           may be used; amending s. 206.609, F.S.;  
10          correcting a cross reference, to conform;  
11          providing an effective date.

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14           WHEREAS, the boating and marine industries in this  
15          state are important to the state's economy both recreationally  
16          and commercially, and

17           WHEREAS, recreational boating in this state is an  
18          important part of the tourism industry of this state, and

19           WHEREAS, commercial and recreational vessels use motor  
20          and other fuels purchased at marinas, and

21           WHEREAS, on the water, law enforcement is important to  
22          the safety of the citizens of this state through boating  
23          education and boating compliance programs, and

24           WHEREAS, on the water, law enforcement is important to  
25          the protection of the freshwater and marine life of this  
26          state, including the protection of manatees, NOW, THEREFORE,

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

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30           Section 1. Subsection (1) of section 206.606, Florida  
31          Statutes, is amended to read:

1           206.606 Distribution of certain proceeds.--  
2           (1) Moneys collected pursuant to ss. 206.41(1)(g) and  
3 206.87(1)(e) shall be deposited in the Fuel Tax Collection  
4 Trust Fund. Such moneys, after deducting the service charges  
5 imposed by s. 215.20, the refunds granted pursuant to s.  
6 206.41, and the administrative costs incurred by the  
7 department in collecting, administering, enforcing, and  
8 distributing the tax, which administrative costs may not  
9 exceed 2 percent of collections, shall be distributed monthly  
10 to the State Transportation Trust Fund, except that:  
11           (a) \$6.30 million shall be transferred to the  
12 Department of Environmental Protection in each fiscal year and  
13 deposited in the Invasive Plant Control Trust Fund to be used  
14 for aquatic plant management, including nonchemical control of  
15 aquatic weeds, research into nonchemical controls, and  
16 enforcement activities. Beginning in fiscal year 1993-1994,  
17 the department shall allocate at least \$1 million of such  
18 funds to the eradication of melaleuca.  
19           (b) \$2.5 million shall be transferred to the State  
20 Game Trust Fund in the Fish and Wildlife Conservation  
21 Commission in each fiscal year and used for recreational  
22 boating activities, and freshwater fisheries management and  
23 research. The transfers must be made in equal monthly amounts  
24 beginning on July 1 of each fiscal year. The commission shall  
25 annually determine where unmet needs exist for boating-related  
26 activities, and may fund such activities in counties where,  
27 due to the number of vessel registrations, sufficient  
28 financial resources are unavailable.  
29           1. A minimum of \$1.25 million shall be used to fund  
30 local projects to provide recreational channel marking, public  
31 launching facilities, aquatic plant control, and other local

1 boating related activities. In funding the projects, the  
2 commission shall give priority consideration as follows:  
3       a. Unmet needs in counties with populations of 100,000  
4 or less.  
5       b. Unmet needs in coastal counties with a high level  
6 of boating related activities from individuals residing in  
7 other counties.  
8       2. The remaining \$1.25 million may be used for  
9 recreational boating activities and freshwater fisheries  
10 management and research.  
11       3. The commission is authorized to adopt rules  
12 pursuant to ss. 120.536(1) and 120.54 to implement a Florida  
13 Boating Improvement Program similar to the program  
14 administered by the Department of Environmental Protection and  
15 established in rules 62D-5.031 - 62D-5.036, Florida  
16 Administrative Code, to determine projects eligible for  
17 funding under this subsection.  
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19 On February 1 of each year, the commission shall file an  
20 annual report with the President of the Senate and the Speaker  
21 of the House of Representatives outlining the status of its  
22 Florida Boating Improvement Program, including the projects  
23 funded, and a list of counties whose needs are unmet due to  
24 insufficient financial resources from vessel registration  
25 fees.  
26       (c) \$8 million in fuel sales tax revenues generated  
27 from the sale of motor and other fuel at marinas shall be  
28 transferred to the Marine Resources Conservation Trust Fund in  
29 each fiscal year and used to fund law enforcement efforts of  
30 the Fish and Wildlife Conservation Commission. The transfers  
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1 must be made in equal monthly amounts beginning on July 1 of  
2 each year.

3 (d) \$1 million in fuel sales tax revenues generated  
4 from the sale of motor and other fuel at marinas shall be  
5 transferred to the Marine Resources Conservation Trust Fund in  
6 each fiscal year to be used for public launching facilities.  
7 The transfers must be made in equal monthly amounts beginning  
8 on July 1 of each year.

9 (e)~~(c)~~ 0.65 percent of moneys collected pursuant to s.  
10 206.41(1)(g) shall be transferred to the Agricultural  
11 Emergency Eradication Trust Fund.

12 Section 2. Subsection (1) and paragraph (b) of  
13 subsection (3) of section 206.609, Florida Statutes, are  
14 amended to read:

15 206.609 Transfer of funds to the Agricultural  
16 Emergency Eradication Trust Fund.--Moneys transferred to the  
17 Agricultural Emergency Eradication Trust Fund pursuant to ss.  
18 206.606 and 206.608 are subject to the following provisions:

19 (1) If the unobligated balance of the Agricultural  
20 Emergency Eradication Trust Fund exceeds \$20 million, the  
21 transfers provided for in ss. 206.606(1)(e)~~(c)~~ and 206.608(1)  
22 shall be discontinued until the unobligated balance of the  
23 trust fund falls below \$10 million, at which time such  
24 transfers shall be reinstated to return the balance to \$20  
25 million.

26 (3)

27 (b) Any refunds of the tax imposed under s.  
28 206.41(1)(g) claimed under s. 206.41(4)(c)1. in excess of such  
29 refunds claimed during the fiscal year preceding the effective  
30 date of this act shall be deducted from the amount transferred  
31 pursuant to s. 206.606(1)(e)~~(c)~~, during the year the claims

1 are made, to the Agricultural Emergency Eradication Trust  
2 Fund.  
3 Section 3. This act shall take effect July 1, 2002.  
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6 HOUSE SUMMARY  
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8 Requires that sales tax revenues generated by the sale of  
9 motor and other fuels at marinas be transferred to the  
10 Fish and Wildlife Conservation Commission and specifies  
11 the purposes for which the transferred revenues may be  
12 used.  
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