

1                                   A bill to be entitled  
2           An act relating to distribution of motor and  
3           other fuel taxes; amending 206.606, F.S.;  
4           requiring that sales tax revenues generated by  
5           the sale of motor and other fuels be  
6           transferred to the State Game Trust Fund;  
7           specifying the purposes for which the revenues  
8           transferred may be used; amending 206.608,  
9           F.S.; requiring that sales tax revenues  
10          generated by the sale of motor and other fuels  
11          be transferred to the Marine Resource  
12          Conservation Trust Fund and to the State Game  
13          Trust Fund; specifying the purpose for which  
14          the revenue transferred may be used; providing  
15          an effective date.

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18           WHEREAS, the boating and marine industries in this  
19          state are important to the state's economy both recreationally  
20          and commercially, and

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

23                   WHEREAS, commercial and recreational vessels use motor  
24          and other fuels purchased at marinas, and

25                   WHEREAS, on the water, law enforcement is important to  
26          the safety of the citizens of this state through boating  
27          education and boating compliance programs, and

28                   WHEREAS, on the water, law enforcement is important to  
29          the protection of the freshwater and marine life of this  
30          state, including the protection of manatees, NOW, THEREFORE,  
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1 Be It Enacted by the Legislature of the State of Florida:

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

206.606 Distribution of certain proceeds.--

(1) Moneys collected pursuant to ss. 206.41(1)(g) and 206.87(1)(e) shall be deposited in the Fuel Tax Collection Trust Fund. Such moneys, after deducting the service charges imposed by s. 215.20, the refunds granted pursuant to s. 206.41, and the administrative costs incurred by the department in collecting, administering, enforcing, and distributing the tax, which administrative costs may not exceed 2 percent of collections, shall be distributed monthly to the State Transportation Trust Fund, except that:

(a) \$6.30 million shall be transferred to the Department of Environmental Protection in each fiscal year and deposited in the Invasive Plant Control Trust Fund to be used for aquatic plant management, including nonchemical control of aquatic weeds, research into nonchemical controls, and enforcement activities. Beginning in fiscal year 1993-1994, the department shall allocate at least \$1 million of such funds to the eradication of melaleuca.

(b) \$2.5 million shall be transferred to the State Game Trust Fund in the Fish and Wildlife Conservation Commission in each fiscal year and used for recreational boating activities, and freshwater fisheries management and research. The transfers must be made in equal monthly amounts beginning on July 1 of each fiscal year. The commission shall annually determine where unmet needs exist for boating-related activities, and may fund such activities in counties where,

1 due to the number of vessel registrations, sufficient  
2 financial resources are unavailable.

3 1. A minimum of \$1.25 million shall be used to fund  
4 local projects to provide recreational channel marking, public  
5 launching facilities, aquatic plant control, and other local  
6 boating related activities. In funding the projects, the  
7 commission shall give priority consideration as follows:

8 a. Unmet needs in counties with populations of 100,000  
9 or less.

10 b. Unmet needs in coastal counties with a high level  
11 of boating related activities from individuals residing in  
12 other counties.

13 2. The remaining \$1.25 million may be used for  
14 recreational boating activities and freshwater fisheries  
15 management and research.

16 3. The commission is authorized to adopt rules  
17 pursuant to ss. 120.536(1) and 120.54 to implement a Florida  
18 Boating Improvement Program similar to the program  
19 administered by the Department of Environmental Protection and  
20 established in rules 62D-5.031 - 62D-5.036, Florida  
21 Administrative Code, to determine projects eligible for  
22 funding under this subsection.

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24 On February 1 of each year, the commission shall file an  
25 annual report with the President of the Senate and the Speaker  
26 of the House of Representatives outlining the status of its  
27 Florida Boating Improvement Program, including the projects  
28 funded, and a list of counties whose needs are unmet due to  
29 insufficient financial resources from vessel registration  
30 fees.

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1 (c) 0.65 percent of moneys collected pursuant to s.  
2 206.41(1)(g) shall be transferred to the Agricultural  
3 Emergency Eradication Trust Fund.

4 (d) Beginning in fiscal year 2007-2008 and each year  
5 thereafter \$3.2 million shall be transferred to the State Game  
6 Trust Fund to fund activities of the Fish and Wildlife  
7 Conservation Commission including coastal law enforcement  
8 efforts, recreational boating activities, public boat  
9 launching facilities, and to fund local projects related to  
10 boating.

11 (2) Not less than 10 percent of the moneys deposited  
12 in the State Transportation Trust Fund pursuant to this  
13 section shall be allocated by the Department of Transportation  
14 for public transit and rail capital projects, including  
15 service development projects, as defined in s. 341.031(7) and  
16 (8), unless otherwise provided in the General Appropriations  
17 Act.

18 Section 2. Subsection (2) of section 206.608, Florida  
19 Statutes, is amended to read:

20 206.608 State Comprehensive Enhanced Transportation  
21 System Tax; deposit of proceeds; distribution.--Moneys  
22 received pursuant to ss. 206.41(1)(f) and 206.87(1)(d) shall  
23 be deposited in the Fuel Tax Collection Trust Fund, and, after  
24 deducting the service charge imposed in chapter 215 and  
25 administrative costs incurred by the department in collecting,  
26 administering, enforcing, and distributing the tax, which  
27 administrative costs may not exceed 2 percent of collections,  
28 shall be distributed as follows:

29 (1) 0.65 percent of the proceeds of the tax levied  
30 pursuant to s. 206.41(1)(f) shall be transferred to the  
31 Agricultural Emergency Eradication Trust Fund.

1           (2) \$1 million annually in fiscal year 2003-2004  
2 through fiscal year 2006-2007 shall be transferred to the  
3 Marine Resource Conservation Trust Fund (MRCTF) to fund law  
4 enforcement efforts of the Fish and Wildlife Conservation  
5 Commission. Beginning in fiscal year 2007-2008 and each year  
6 thereafter \$6.8 million shall be transferred to the State Game  
7 Trust Fund to fund activities of the Fish and Wildlife  
8 Conservation Commission including coastal law enforcement  
9 efforts, recreational boating activities, public boat  
10 launching facilities, and to fund local projects related to  
11 boating activities.

12           ~~(3)(2)~~ The remaining proceeds of the tax levied  
13 pursuant to s. 206.41(1)(f) and all of the proceeds from the  
14 tax imposed by s. 206.87(1)(d) shall be transferred into the  
15 State Transportation Trust Fund, and may be used only for  
16 projects in the adopted work program in the district in which  
17 the tax proceeds are collected and, to the maximum extent  
18 feasible, such moneys shall be programmed for use in the  
19 county where collected. However, no revenue from the taxes  
20 imposed pursuant to ss. 206.41(1)(f) and 206.87(1)(d) in a  
21 county shall be expended unless the projects funded with such  
22 revenues have been included in the work program adopted  
23 pursuant to s. 339.135.

24           Section 3. This act shall take effect July 1, 2002.  
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