

By Senator King

8-1263-02

1 A bill to be entitled
2 An act relating to the Fuel Tax Collection
3 Trust Fund; amending ss. 206.606, 206.608,
4 F.S.; revising the distribution of certain tax
5 proceeds that have been deposited in the trust
6 fund; increasing the amount to be distributed
7 to the State Game Trust Fund; revising the uses
8 of such proceeds; providing an effective date.

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

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12 Section 1. Section 206.606, Florida Statutes, is
13 amended to read:

14 206.606 Distribution of certain proceeds.--

15 (1) Moneys collected pursuant to ss. 206.41(1)(g) and
16 206.87(1)(e) shall be deposited in the Fuel Tax Collection
17 Trust Fund. Such moneys, after deducting the service charges
18 imposed by s. 215.20, the refunds granted pursuant to s.
19 206.41, and the administrative costs incurred by the
20 department in collecting, administering, enforcing, and
21 distributing the tax, which administrative costs may not
22 exceed 2 percent of collections, shall be distributed monthly
23 to the State Transportation Trust Fund, except that:

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

1 (b) ~~\$12~~\$2.5 million shall be transferred to the State
2 Game Trust Fund in the Fish and Wildlife Conservation
3 Commission in each fiscal year and used for recreational
4 boating activities, and freshwater fisheries management and
5 research. The transfers must be made in equal monthly amounts
6 beginning on July 1 of each fiscal year. The commission shall
7 annually determine where unmet needs exist for boating-related
8 activities, and may fund such activities in counties where,
9 due to the number of vessel registrations, sufficient
10 financial resources are unavailable.

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

16 a. Unmet needs in counties that have ~~with~~ populations
17 of 100,000 or less.

18 b. Unmet needs in coastal counties that have ~~with~~ a
19 high level of boating-related ~~boating-related~~ activities that
20 involve ~~from~~ individuals who reside ~~residing~~ in other
21 counties.

22 2. The remaining ~~\$6~~\$1.25 million may be used for
23 recreational boating activities and freshwater fisheries
24 management and research.

25 3. The commission is authorized to adopt rules
26 pursuant to ss. 120.536(1) and 120.54 to implement a Florida
27 Boating Improvement Program similar to the program
28 administered by the Department of Environmental Protection and
29 established in rules 62D-5.031 - 62D-5.036, Florida
30 Administrative Code, to determine projects eligible for
31 funding under this subsection.

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2 On February 1 of each year, the commission shall file an
3 annual report with the President of the Senate and the Speaker
4 of the House of Representatives outlining the status of its
5 Florida Boating Improvement Program, including the projects
6 funded, and a list of counties whose needs are unmet due to
7 insufficient financial resources from vessel registration
8 fees.

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

19 Section 2. Section 206.608, Florida Statutes, is
20 amended to read:

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

30 (1) Ten million dollars shall be transferred to the
31 State Game Trust Fund in the Fish and Wildlife Conservation

1 Commission in each fiscal year and used for recreational
2 boating activities and for freshwater fisheries management and
3 research. The transfers must be made in equal monthly amounts
4 beginning on July 1 of each fiscal year. The commission shall
5 annually determine where unmet needs exist for boating-related
6 activities and may fund such activities in counties where, due
7 to the number of vessel registrations, sufficient financial
8 resources are unavailable.

9 1. A minimum of \$5 million shall be used to fund local
10 projects to provide recreational channel marking, public
11 launching facilities, aquatic plant control, and other local
12 boating-related activities. In funding the projects, the
13 commission shall give priority in the following order:

14 a. To unmet needs in counties that have populations of
15 100,000 or less.

16 b. To unmet needs in coastal counties that have a high
17 level of boating-related activities involving individuals who
18 reside in other counties.

19 2. The remaining \$5 million may be used for
20 recreational boating activities and freshwater fisheries
21 management and research.

22 (2)(1) 0.65 percent of the proceeds of the tax levied
23 pursuant to s. 206.41(1)(f) shall be transferred to the
24 Agricultural Emergency Eradication Trust Fund.

25 (3)(2) The remaining proceeds of the taxes tax levied
26 pursuant to ss.s.206.41(1)(f) and ~~all of the proceeds from~~
27 ~~the tax imposed by s.206.87(1)(d)~~ shall be transferred into
28 the State Transportation Trust Fund, and may be used only for
29 projects in the adopted work program in the district in which
30 the tax proceeds are collected and, to the maximum extent
31 feasible, such moneys shall be programmed for use in the

1 county where collected. However, no revenue from the taxes
2 imposed pursuant to ss. 206.41(1)(f) and 206.87(1)(d) in a
3 county shall be expended unless the projects funded with such
4 revenues have been included in the work program adopted
5 pursuant to s. 339.135.

6 Section 3. This act shall take effect July 1, 2007.

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SENATE SUMMARY

10 Revises the distribution of certain tax proceeds that
11 have been deposited in the Fuel Tax Collection Trust
12 Fund. Increases the amount to be distributed to the State
13 Game Trust Fund. Revises the criteria for use of such
14 proceeds.

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