Florida Senate - 2003

By Senator Garcia

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CODING:Words stricken are deletions; words <u>underlined</u> are additions.

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1	(2) The trust fund shall be credited with state
2	appropriations made by law and with funds from state and
3	federal grants.
4	(3)(a) The Department of Community Affairs may award
5	funds from the trust fund to a local government agency,
б	including the Florida Keys Aqueduct Authority, responsible for
7	wastewater or stormwater management services.
8	(b) Funds may be awarded to cover the costs of
9	engineering design, construction and construction-related
10	services, and construction supervision. Planning costs are not
11	eligible for funding.
12	(4) The Department of Community Affairs also may award
13	funds from the trust fund to property owners for the purpose
14	of upgrading unpermitted individual residential onsite
15	treatment and disposal systems, consistent with the
16	requirements of chapter 99-395, Laws of Florida, in areas not
17	planned for central wastewater facilities by 2010.
18	(5) The Department of Community Affairs may establish
19	a maximum amount of funds to be awarded to any one recipient
20	in any given year or in total. In awarding funds, the
21	department may consider the rate impacts on customers in an
22	effort to equalize those impacts to the extent practicable.
23	(6) The Department of Community Affairs may award
24	funds only for projects that are consistent with:
25	(a) The Monroe County Wastewater Master Plan and any
26	locally adopted wastewater master plan; or
27	(b) A locally adopted stormwater master plan.
28	(7) The Department of Community Affairs may award
29	funds for the specific purpose of making affordable a loan
30	under s. 403.1835. Affordability criteria shall be established
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1 by the Department of Community Affairs, in consultation with the Department of Environmental Protection. 2 3 (8) The Department of Community Affairs, in consultation with the Department of Environmental Protection, 4 5 shall prioritize ready-to-proceed projects for the purpose of б awarding money from the trust fund. Priority considerations 7 may include, but are not limited to, the extent of public 8 health protection and water quality improvement expected of 9 the project. For purposes of this section, readiness to proceed means, at a minimum, that a project sponsor has 10 11 demonstrated and documented the following: That it has the financial capability to construct 12 (a) the project with the assistance provided and any other legally 13 14 available funds. That, in the case of wastewater projects, it has 15 (b) enforceable sewer use policies. 16 17 That it has a program to provide assistance to (C) low-income residents to help defray the impact of rates and 18 19 fees. That it will be able to proceed with construction, 20 (d) 21 or with a design-build project, at a definite cost based on a 22 firm bid or proposal. 23 That the plan, project costs, rate and fee (e) 24 impacts, and overall implications of the project have been presented to the public affected by the project. 25 The Department of Community Affairs may adopt 26 (9) 27 rules pursuant to ss. 120.536(1) and 120.54 necessary to 28 administer subsections (3)-(8). 29 (10) Notwithstanding the provisions of s. 216.301 and 30 pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year shall remain in the trust fund at the 31 3

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end of the year and shall be available for carrying out the purposes of the trust fund. (11) Pursuant to the provisions of s. 19(f)(2), Art. III of the State Constitution, the trust fund shall, unless terminated sooner, be terminated on July 1, 2007. Prior to its б scheduled termination, the trust fund shall be reviewed as provided in s. 215.3206. (12) The trust fund, if not repealed sooner pursuant to subsection (11), shall be repealed 5 years after the date the area of critical state concern designation is removed from both the Florida Keys and Key West Areas. Section 2. This act shall take effect July 1, 2003.

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