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A bill to be entitled

An act relating to water resources management; amending s. 212.20, F.S.; deleting a provision directing a portion of sales tax revenues to the Ecosystem Management and Restoration Trust Fund for water quality improvement and water restoration purposes; providing for deposit of such revenues into the General Revenue Fund; amending s. 403.885, F.S.; eliminating the Ecosystem Management and Restoration Trust Fund as the funding source for the Water Quality Improvement and Water Restoration Grant Program; providing an effective date.

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

Section 1. Paragraph (d) of subsection (6) of section 212.20, Florida Statutes, as amended by chapter 2003-402, Laws of Florida, is amended to read:

212.20 Funds collected, disposition; additional powers of department; operational expense; refund of taxes adjudicated unconstitutionally collected.--

(6) Distribution of all proceeds under this chapter and s. 202.18(1)(b) and (2)(b) shall be as follows:

(d) The proceeds of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be distributed as follows:

1. In any fiscal year, 5.2 ~~the greater of \$500 million,~~ ~~minus an amount equal to 4.6 percent of the proceeds of the taxes collected pursuant to chapter 201, or 5 percent of all other taxes and fees imposed pursuant to this chapter or~~

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30 remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be
 31 deposited in monthly installments into the General Revenue Fund.

32 ~~2. Two tenths of one percent shall be transferred to the~~
 33 ~~Ecosystem Management and Restoration Trust Fund to be used for~~
 34 ~~water quality improvement and water restoration projects.~~

35 2.3. After the distribution under subparagraph
 36 ~~subparagraphs 1. and 2.~~, 8.814 percent of the amount remitted by
 37 a sales tax dealer located within a participating county
 38 pursuant to s. 218.61 shall be transferred into the Local
 39 Government Half-cent Sales Tax Clearing Trust Fund. Beginning
 40 July 1, 2003, the amount to be transferred pursuant to this
 41 subparagraph to the Local Government Half-cent Sales Tax
 42 Clearing Trust Fund shall be reduced by 0.1 percent, and the
 43 department shall distribute this amount to the Public Employees
 44 Relations Commission Trust Fund less \$5,000 each month, which
 45 shall be added to the amount calculated in subparagraph 3. 4.
 46 and distributed accordingly.

47 3.4. After the distribution under subparagraphs 1. and
 48 ~~2., and 3.~~, 0.095 percent shall be transferred to the Local
 49 Government Half-cent Sales Tax Clearing Trust Fund and
 50 distributed pursuant to s. 218.65.

51 4.5. After the distributions under subparagraphs 1., 2.,
 52 and 3., and 4., 2.0440 percent of the available proceeds
 53 pursuant to this paragraph shall be transferred monthly to the
 54 Revenue Sharing Trust Fund for Counties pursuant to s. 218.215.

55 5.6. After the distributions under subparagraphs 1., 2.,
 56 and 3., and 4., 1.3409 percent of the available proceeds
 57 pursuant to this paragraph shall be transferred monthly to the
 58 Revenue Sharing Trust Fund for Municipalities pursuant to s.

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59 218.215. If the total revenue to be distributed pursuant to this
 60 subparagraph is at least as great as the amount due from the
 61 Revenue Sharing Trust Fund for Municipalities and the Municipal
 62 Financial Assistance Trust Fund in state fiscal year 1999-2000,
 63 no municipality shall receive less than the amount due from the
 64 Revenue Sharing Trust Fund for Municipalities and the Municipal
 65 Financial Assistance Trust Fund in state fiscal year 1999-2000.
 66 If the total proceeds to be distributed are less than the amount
 67 received in combination from the Revenue Sharing Trust Fund for
 68 Municipalities and the Municipal Financial Assistance Trust Fund
 69 in state fiscal year 1999-2000, each municipality shall receive
 70 an amount proportionate to the amount it was due in state fiscal
 71 year 1999-2000.

72 ~~6.7.~~ Of the remaining proceeds:

73 a. In each fiscal year, the sum of \$29,915,500 shall be
 74 divided into as many equal parts as there are counties in the
 75 state, and one part shall be distributed to each county. The
 76 distribution among the several counties shall begin each fiscal
 77 year on or before January 5th and shall continue monthly for a
 78 total of 4 months. If a local or special law required that any
 79 moneys accruing to a county in fiscal year 1999-2000 under the
 80 then-existing provisions of s. 550.135 be paid directly to the
 81 district school board, special district, or a municipal
 82 government, such payment shall continue until such time that the
 83 local or special law is amended or repealed. The state covenants
 84 with holders of bonds or other instruments of indebtedness
 85 issued by local governments, special districts, or district
 86 school boards prior to July 1, 2000, that it is not the intent
 87 of this subparagraph to adversely affect the rights of those

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88 holders or relieve local governments, special districts, or
 89 district school boards of the duty to meet their obligations as
 90 a result of previous pledges or assignments or trusts entered
 91 into which obligated funds received from the distribution to
 92 county governments under then-existing s. 550.135. This
 93 distribution specifically is in lieu of funds distributed under
 94 s. 550.135 prior to July 1, 2000.

95 b. The department shall distribute \$166,667 monthly
 96 pursuant to s. 288.1162 to each applicant that has been
 97 certified as a "facility for a new professional sports
 98 franchise" or a "facility for a retained professional sports
 99 franchise" pursuant to s. 288.1162. Up to \$41,667 shall be
 100 distributed monthly by the department to each applicant that has
 101 been certified as a "facility for a retained spring training
 102 franchise" pursuant to s. 288.1162; however, not more than
 103 \$208,335 may be distributed monthly in the aggregate to all
 104 certified facilities for a retained spring training franchise.
 105 Distributions shall begin 60 days following such certification
 106 and shall continue for not more than 30 years. Nothing contained
 107 in this paragraph shall be construed to allow an applicant
 108 certified pursuant to s. 288.1162 to receive more in
 109 distributions than actually expended by the applicant for the
 110 public purposes provided for in s. 288.1162(6). However, a
 111 certified applicant is entitled to receive distributions up to
 112 the maximum amount allowable and undistributed under this
 113 section for additional renovations and improvements to the
 114 facility for the franchise without additional certification.

115 c. Beginning 30 days after notice by the Office of
 116 Tourism, Trade, and Economic Development to the Department of

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117 Revenue that an applicant has been certified as the professional
 118 golf hall of fame pursuant to s. 288.1168 and is open to the
 119 public, \$166,667 shall be distributed monthly, for up to 300
 120 months, to the applicant.

121 d. Beginning 30 days after notice by the Office of
 122 Tourism, Trade, and Economic Development to the Department of
 123 Revenue that the applicant has been certified as the
 124 International Game Fish Association World Center facility
 125 pursuant to s. 288.1169, and the facility is open to the public,
 126 \$83,333 shall be distributed monthly, for up to 168 months, to
 127 the applicant. This distribution is subject to reduction
 128 pursuant to s. 288.1169. A lump sum payment of \$999,996 shall be
 129 made, after certification and before July 1, 2000.

130 7.8- All other proceeds shall remain with the General
 131 Revenue Fund.

132 Section 2. Subsections (1), (3), and (4) of section
 133 403.885, Florida Statutes, are amended to read:

134 403.885 Water Quality Improvement and Water Restoration
 135 Grant Program.--

136 (1) The Department of Environmental Protection shall
 137 develop and administer a competitive grant program ~~to use funds~~
 138 ~~transferred pursuant to s. 212.20 to the Ecosystem Management~~
 139 ~~and Restoration Trust Fund~~ for water quality improvement and
 140 water restoration project grants. Eligible recipients of such
 141 grants include counties, municipalities, water management
 142 districts, and special districts that have legal
 143 responsibilities for water quality improvement, water
 144 management, storm water management, sewer system operations, and
 145 lake and river restoration projects.

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146 (3) The department shall evaluate the annual grant
 147 proposals and present the annual list of projects recommended to
 148 be funded to the Governor and the Legislature as part of its
 149 annual budget request submitted pursuant to chapter 216
 150 ~~beginning with fiscal year 2003-2004.~~

151 (4) Each fiscal year, at least 20 percent of the funds
 152 appropriated for the program available pursuant to subsection
 153 ~~(1)~~ shall be used for projects to assist financially
 154 disadvantaged small local governments. For purposes of this
 155 section, the term "financially disadvantaged small local
 156 government" means a municipality having a population of 7,500 or
 157 less, a county having a population of 35,000 or less, according
 158 to the latest decennial census and a per capita annual income
 159 less than the state per capita annual income as determined by
 160 the United States Department of Commerce, or a county in an area
 161 designated by the Governor as a rural area of critical economic
 162 concern pursuant to s. 288.0656. Grants made to these eligible
 163 local governments shall not require matching local funds.

164 Section 3. This act shall take effect July 1, 2004.