${\bf By}$  the Committee on General Government Appropriations; and Senators Clary, Lynn and Klein

601-599-05

1	A bill to be entitled
2	An act relating to the restoration of
3	hurricane-damaged beaches and dunes; providing
4	legislative findings with respect to hurricane
5	damage to the state's beach and dune systems;
6	requiring the Department of Environmental
7	Protection to provide a report on the repair
8	and restoration of the state's beaches and
9	dunes to the Governor and Legislature;
10	providing appropriations; requiring a local
11	match for certain appropriations; limiting the
12	local match to counties and municipalities with
13	a certain per capita personal income level;
14	authorizing the Executive Office of the
15	Governor to approve a waiver under certain
16	conditions; restricting full release of funds
17	until certain local match requirements are met;
18	requiring that the Executive Office of the
19	Governor provide prior notice to the
20	Legislative Budget Commission of allocations
21	from lump-sum appropriations to appropriation
22	categories; authorizing the department to
23	redistribute funds among activities and
24	projects; requiring that the department provide
25	prior notice of and justification for such
26	redistribution to the Governor and Legislature;
27	directing the department to take the necessary
28	steps to ensure the timely implementation and
29	completion of certain beach repair and
30	restoration projects; providing an effective
31	date.

Be It Enacted by the Legislature of the State of Florida: 2 3 Section 1. The Legislature finds that Florida's beach 4 and dune systems were adversely affected by Hurricanes 5 Charley, Frances, Ivan, and Jeanne and Tropical Storm Bonnie 6 which struck the state during 2004. The Legislature further 7 finds that in order to begin the recovery of these systems, the Department of Environmental Protection developed the 2004 8 Hurricane Recovery Plan for Florida's Beach and Dune System, 9 hereinafter referred to as "the plan," dated November 30, 10 2004, for the repair and restoration of the state's beaches 11 12 and dunes. 13 Section 2. The Department of Environmental Protection shall provide a report to the Legislature no later than 14 February 11, 2005, describing the progress made to date on the 15 plan's activities and beach and dune repair and restoration 16 projects. The report must include the dollars spent, 18 percentage of the project's completion, and funding impacts on the 2005-2006 fiscal year budget. The report must be submitted 19 to the Executive Office of the Governor, the President of the 2.0 21 Senate, and the Speaker of the House of Representatives. 22 Section 3. (1) For the 2004-2005 fiscal year only, 23 \$64.6 million from the General Revenue Fund and \$3.8 million from the Land Acquisition Trust Fund are appropriated in fixed 2.4 capital outlay for the purpose of implementing the plan's 2.5 activities and beach and dune repair and restoration projects. 26 27 (2) Of the \$64.6 million appropriated from the General 2.8 Revenue Fund, the \$53.8 million for beach restoration studies and dune restoration projects contained in the plan shall 29 require a local match of 10 percent to enhance or expand such 30 31 projects.

1	(a) The local match requirement shall not apply to any
2	county, or municipality within such county, with a per capita
3	personal income level below the state's per capita personal
4	income level, as published by the United States Department of
5	Commerce. In addition, the Executive Office of the Governor
6	may approve a waiver, subject to the requirement for
7	legislative notice and review under section 216.177, Florida
8	Statutes, of all or a portion of the required local match for
9	any local government. The Executive Office of the Governor
10	must determine that such a match requirement cannot be
11	provided or that doing so would impose a documented hardship
12	on the local government.
13	(b) The Department of Environmental Protection shall
14	not release the final 25 percent of state funds to be provided
15	to any local government for beach restoration studies and dune
16	restoration projects until that local government has met local
17	match requirements pursuant to this section.
18	(3) Notwithstanding the provisions of section 216.177,
19	Florida Statutes, requiring a 14-day notice for interim budget
20	actions, and pursuant to section 216.351, Florida Statutes,
21	the Executive Office of the Governor shall provide notice of
22	the allocation of the lump-sum appropriations authorized by
23	this act into traditional appropriation categories to the
24	chair and vice chair of the Legislative Budget Commission at
25	least 3 working days prior to the effective date of such
26	allocation.
27	Section 4. The Department of Environmental Protection
28	is authorized to redistribute the funds appropriated in this
29	act among activities and projects, as necessary, to
30	efficiently and effectively implement the plan and to leverage
31	federal and local matching funds. Funds from these

1	appropriations must be used to implement the plan until
2	completed or until the funds have been exhausted. The
3	department shall provide a written description and
4	justification 5 days prior to any redistribution of project
5	funds within the plan to the Executive Office of the Governor,
6	the President of the Senate, and the Speaker of the House of
7	Representatives.
8	Section 5. The Department of Environmental Protection
9	is directed to take the necessary steps to ensure the timely
10	implementation and completion of beach and dune repair and
11	restoration projects included within the 2004 Hurricane
12	Recovery Plan for Florida's Beach and Dune System. These steps
13	shall include, but not be limited to, the issuance of
14	applicable emergency permits and rule waivers consistent with
15	current executive authority.
16	Section 6. This act shall take effect upon becoming a
17	law.
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19	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
20	COMMITTEE SUBSTITUTE FOR <u>Senate Bill 14-A</u>
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22	Clarifies that the 10 percent local government match
23 governments provision applies to beach restora	requirement and the final release of funds to local governments provision applies to beach restoration studies and
24	dune restoration projects.
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