

1 A bill to be entitled
 2 An act relating to Everglades restoration bonds; amending
 3 s. 215.619, F.S.; authorizing the issuance of additional
 4 Everglades restoration bonds to implement the Florida Keys
 5 Area of Critical State Concern protection program;
 6 extending the period during which Everglades Restoration
 7 bonds may be issued; authorizing the issuance of an
 8 additional amount of bonds for a specified time period
 9 specifically to fund the Florida Keys Area of Critical
 10 State Concern protection program; requiring the
 11 Legislature to analyze the ratio of the state's debt to
 12 projected revenues before authorizing issuance of certain
 13 bonds; amending s. 373.470, F.S.; defining the term "Keys
 14 Wastewater Plan"; authorizing funds deposited into the
 15 Save Our Everglades Trust Fund to be used to implement the
 16 Keys Wastewater Plan; amending s. 373.472, F.S.;
 17 authorizing the Department of Environmental Protection,
 18 subject to specific appropriation, to use moneys from the
 19 Save Our Everglades Trust Fund to fund projects identified
 20 in the Keys Wastewater Plan; deleting an obsolete
 21 provision terminating the Save Our Everglades Trust Fund;
 22 providing an effective date.

23
 24 Be It Enacted by the Legislature of the State of Florida:

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 26 Section 1. Subsection (1) of section 215.619, Florida
 27 Statutes, is amended to read:

28 215.619 Bonds for Everglades restoration.--

29 (1) The issuance of Everglades restoration bonds to
 30 finance or refinance the cost of acquisition and improvement of
 31 land, water areas, and related property interests and resources
 32 for the purpose of implementing the Comprehensive Everglades
 33 Restoration Plan under s. 373.470, the Lake Okeechobee Watershed
 34 Protection Plan under s. 373.4595, the Caloosahatchee River
 35 Watershed Protection Plan under s. 373.4595, ~~and~~ the St. Lucie
 36 River Watershed Protection Plan under s. 373.4595, and the
 37 Florida Keys Area of Critical State Concern protection program
 38 under ss. 380.05 and 380.0552 to restore and conserve natural
 39 systems through the implementation of water management projects,
 40 including wastewater management projects identified in the "Keys
 41 Wastewater Plan" dated November 2007 and submitted to the
 42 Florida House of Representatives on December 4, 2007, is
 43 authorized in accordance with s. 11(e), Art. VII of the State
 44 Constitution. Everglades restoration bonds, except refunding
 45 bonds, may be issued only in fiscal years 2002-2003 through
 46 2019-2020 ~~2009-2010~~ and may not be issued in an amount exceeding
 47 \$100 million per fiscal year unless:

48 (a) The Department of Environmental Protection has
 49 requested additional amounts in order to achieve cost savings or
 50 accelerate the purchase of land; or

51 (b) The Legislature authorizes an additional amount of
 52 bonds not to exceed \$50 million per fiscal year, for no more
 53 than 4 fiscal years, specifically for the purpose of funding the
 54 Florida Keys Area of Critical State Concern protection program.

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56 The duration of Everglades restoration bonds may not exceed 20
57 annual maturities, and those bonds must mature by December 31,
58 2040 ~~2030~~. Except for refunding bonds, a series of bonds may not
59 be issued unless an amount equal to the debt service coming due
60 in the year of issuance has been appropriated by the
61 Legislature. Beginning July 1, 2010, the Legislature shall
62 analyze the ratio of the state's debt to projected revenues
63 prior to the authorization to issue any bonds under this
64 section.

65 Section 2. Subsections (2), (4), and (6) of section
66 373.470, Florida Statutes, are amended to read:

67 373.470 Everglades restoration.--

68 (2) DEFINITIONS.--As used in this section, the term:

69 (a) "Caloosahatchee River Watershed Protection Plan" means
70 the plan developed pursuant to s. 373.4595.

71 (b) "Comprehensive plan" means the recommended
72 comprehensive plan contained within the "Final Integrated
73 Feasibility Report and Programmatic Environmental Impact
74 Statement, April 1999" and submitted to Congress on July 1,
75 1999.

76 (c) "Corps" means the United States Army Corps of
77 Engineers.

78 (d) "District" means the South Florida Water Management
79 District.

80 (e) "Keys Wastewater Plan" means the plan prepared by the
81 Monroe County Engineering Division dated November 2007 and
82 submitted to the Florida House of Representatives on December 4,
83 2007.

84 (f)~~(e)~~ "Lake Okeechobee Watershed Protection Plan" means
 85 the plan developed pursuant to ss. 375.4595 and 373.451-373.459.

86 (g)~~(f)~~ "Project" means the Central and Southern Florida
 87 Project authorized under the heading "CENTRAL AND SOUTHERN
 88 FLORIDA" in s. 203 of the Flood Control Act of 1948 (62 Stat.
 89 1176), and any modification to the project authorized by law.

90 (h)~~(g)~~ "Project component" means any structural or
 91 operational change, resulting from the comprehensive plan, to
 92 the project as it existed and was operated as of January 1,
 93 1999.

94 (i)~~(h)~~ "Project implementation report" means the project
 95 implementation report as described in the "Final Integrated
 96 Feasibility Report and Programmatic Environmental Impact
 97 Statement, April 1999" and submitted to Congress on July 1,
 98 1999.

99 (j)~~(i)~~ "River Watershed Protection Plans" means the
 100 Caloosahatchee River Watershed Protection Plan and the St. Lucie
 101 River Watershed Protection Plan as defined in this subsection.

102 (k)~~(j)~~ "St. Lucie River Watershed Protection Plan" means
 103 the plan developed pursuant to s. 373.4595.

104 (4) SAVE OUR EVERGLADES TRUST FUND; FUNDS AUTHORIZED FOR
 105 DEPOSIT.--The following funds may be deposited into the Save Our
 106 Everglades Trust Fund created by s. 373.472 to finance
 107 implementation of the comprehensive plan, the Lake Okeechobee
 108 Watershed Protection Plan, ~~and~~ the River Watershed Protection
 109 Plans, and the Keys Wastewater Plan:

110 (a) Funds described in subsection (5).

111 (b) Federal funds appropriated by Congress for
 112 implementation of the comprehensive plan, the Lake Okeechobee
 113 Watershed Protection Plan, or the River Watershed Protection
 114 Plans.

115 (c) Any additional funds appropriated by the Legislature
 116 for the purpose of implementing the comprehensive plan, the Lake
 117 Okeechobee Watershed Protection Plan, ~~or~~ the River Watershed
 118 Protection Plans, or the Keys Wastewater Plan.

119 (d) Gifts designated for implementation of the
 120 comprehensive plan, the Lake Okeechobee Watershed Protection
 121 Plan, ~~or~~ the River Watershed Protection Plans, or the Keys
 122 Wastewater Plan from individuals, corporations, or other
 123 entities.

124 (e) Funds made available pursuant to s. 201.15 for debt
 125 service for Everglades restoration bonds.

126 (6) DISTRIBUTIONS FROM SAVE OUR EVERGLADES TRUST FUND.--

127 (a) Except as provided in paragraphs (d) and (e) and for
 128 funds appropriated for debt service, the department shall
 129 distribute funds in the Save Our Everglades Trust Fund to the
 130 district in accordance with a legislative appropriation and s.
 131 373.026(8)(b) and (c). Distribution of funds to the district
 132 from the Save Our Everglades Trust Fund shall be equally matched
 133 by the cumulative contributions from the district by fiscal year
 134 2019-2020 by providing funding or credits toward project
 135 components. The dollar value of in-kind project design and
 136 construction work by the district in furtherance of the
 137 comprehensive plan and existing interest in public lands needed

138 | for a project component are credits towards the district's
 139 | contributions.

140 | (b) The department shall distribute funds in the Save Our
 141 | Everglades Trust Fund to the district in accordance with a
 142 | legislative appropriation for debt service for Everglades
 143 | restoration bonds.

144 | (c) To the extent that funds are available, the department
 145 | may reserve a minimum of \$10 million annually from the Save Our
 146 | Everglades Trust Fund for the purpose of implementation of the
 147 | River Watershed Protection Plans within the Northern Everglades
 148 | as identified in s. 373.4595. Distribution of funds from the
 149 | Save Our Everglades Trust Fund for the implementation of the
 150 | River Watershed Protection Plans shall be in accordance with
 151 | paragraph (a) and shall be equally matched by the district and
 152 | Lee and Martin Counties by fiscal year 2019-2020 by providing
 153 | funding or credits toward project components. The dollar value
 154 | of in-kind project design and construction work by the district
 155 | or the counties in furtherance of the River Watershed Protection
 156 | Plans and existing interest in public lands needed for a project
 157 | component are credits towards the district's and counties'
 158 | contributions.

159 | (d) Subject to a specific appropriation to the Department
 160 | of Agriculture and Consumer Services for the purpose of
 161 | implementing agricultural nonpoint source controls as identified
 162 | in s. 373.4595 or the legislatively ratified Lake Okeechobee
 163 | Watershed Protection Plan and the River Watershed Protection
 164 | Plans, and upon written request by the Department of Agriculture
 165 | and Consumer Services for the transfer, the department shall

166 transfer an amount equal to such specific appropriation from the
 167 Save Our Everglades Trust Fund to the Department of Agriculture
 168 and Consumer Services General Inspection Trust Fund. All
 169 interest earned on the investment of funds transferred from the
 170 Save Our Everglades Trust Fund to the General Inspection Trust
 171 Fund shall be credited to the Save Our Everglades Trust Fund by
 172 June 30 of each year.

173 (e) Subject to specific appropriation, the department
 174 shall use moneys from the Save Our Everglades Trust Fund to fund
 175 projects identified in the Keys Wastewater Plan. The department
 176 may establish requirements, through grant agreements or other
 177 contractual arrangements, to ensure the timely construction of
 178 projects and expenditure of appropriated funds by the local
 179 governments in Monroe County, including, but not limited to,
 180 project implementation deadlines, local matching requirements,
 181 fair and competitive procurement requirements, and financial
 182 tracking requirements.

183 Section 3. Subsections (1) and (4) of section 373.472,
 184 Florida Statutes, are amended to read:

185 373.472 Save Our Everglades Trust Fund.--

186 (1) There is created within the Department of
 187 Environmental Protection the Save Our Everglades Trust Fund.
 188 Funds in the trust fund shall be expended to implement the
 189 comprehensive plan defined in s. 373.470(2)(b); ~~373.470(2)(a),~~
 190 the Lake Okeechobee Watershed Protection Plan defined in s.
 191 373.4595(2); ~~7~~ the Caloosahatchee River Watershed Protection Plan
 192 defined in s. 373.4595(2); ~~7~~ ~~and~~ the St. Lucie River Watershed
 193 Protection Plan defined in s. 373.4595(2); and the Florida Keys

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194 Area of Critical State Concern protection program under ss.
195 380.05 and 380.0552 to restore and conserve natural systems
196 through the implementation of water management projects,
197 including wastewater management projects identified in the "Keys
198 Wastewater Plan" dated November 2007 and submitted to the
199 Florida House of Representatives on December 4, 2007; and to
200 pay debt service for Everglades restoration bonds issued
201 pursuant to s. 215.619. The trust fund shall serve as the
202 repository for state, local, and federal project contributions
203 in accordance with s. 373.470(4).

204 ~~(4) Pursuant to the provisions of s. 19(f)(2), Art. III of~~
205 ~~the State Constitution, the Save Our Everglades Trust Fund~~
206 ~~shall, unless terminated sooner, terminate on July 1, 2004.~~
207 ~~Prior to its scheduled termination, the trust fund shall be~~
208 ~~reviewed as provided in s. 215.3206(1) and (2).~~

209 Section 4. This act shall take effect July 1, 2008.