

By the Committee on General Government Appropriations and
Senator Baker

601-00100-09A

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1 A bill to be entitled
2 An act relating to the Marine Resources Conservation
3 Trust Fund; amending s. 201.15, F.S.; deleting
4 provisions requiring that a portion of revenue from
5 the excise tax on documents be credited to the fund;
6 amending s. 379.208, F.S., relating to the purposes of
7 the trust fund; conforming provisions to changes made
8 by the act; providing an effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Paragraph (c) of subsection (1) of section
13 201.15, Florida Statutes, is amended to read:

14 201.15 Distribution of taxes collected.—All taxes collected
15 under this chapter are subject to the service charge imposed in
16 s. 215.20(1). Prior to distribution under this section, the
17 Department of Revenue shall deduct amounts necessary to pay the
18 costs of the collection and enforcement of the tax levied by
19 this chapter. Such costs and the service charge may not be
20 levied against any portion of taxes pledged to debt service on
21 bonds to the extent that the costs and service charge are
22 required to pay any amounts relating to the bonds. All taxes
23 remaining after deduction of costs and the service charge shall
24 be distributed as follows:

25 (1) Sixty-three and thirty-one hundredths percent of the
26 remaining taxes collected under this chapter shall be used for
27 the following purposes:

28 (c) The remainder of the moneys distributed under this
29 subsection, after the required payments under paragraphs (a) and

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30 (b), shall be paid into the State Treasury to the credit of:

31 1. The State Transportation Trust Fund in the Department of
32 Transportation in the amount of the lesser of 38.2 percent of
33 the remainder or \$541.75 million in each fiscal year, to be used
34 for the following specified purposes, notwithstanding any other
35 law to the contrary:

36 a. For the purposes of capital funding for the New Starts
37 Transit Program, authorized by Title 49, U.S.C. s. 5309 and
38 specified in s. 341.051, 10 percent of these funds;

39 b. For the purposes of the Small County Outreach Program
40 specified in s. 339.2818, 5 percent of these funds;

41 c. For the purposes of the Strategic Intermodal System
42 specified in ss. 339.61, 339.62, 339.63, and 339.64, 75 percent
43 of these funds after allocating for the New Starts Transit
44 Program described in sub-subparagraph a. and the Small County
45 Outreach Program described in sub-subparagraph b.; and

46 d. For the purposes of the Transportation Regional
47 Incentive Program specified in s. 339.2819, 25 percent of these
48 funds after allocating for the New Starts Transit Program
49 described in sub-subparagraph a. and the Small County Outreach
50 Program described in sub-subparagraph b.

51 2. The Water Protection and Sustainability Program Trust
52 Fund in the Department of Environmental Protection in the amount
53 of the lesser of 5.64 percent of the remainder or \$80 million in
54 each fiscal year, to be used as required by s. 403.890.

55 3. The Grants and Donations Trust Fund in the Department of
56 Community Affairs in the amount of the lesser of .23 percent of
57 the remainder or \$3.25 million in each fiscal year, with 92
58 percent to be used to fund technical assistance to local

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59 governments and school boards on the requirements and
60 implementation of this act and the remaining amount to be used
61 to fund the Century Commission established in s. 163.3247.

62 4. The Ecosystem Management and Restoration Trust Fund in
63 the amount of the lesser of 2.12 percent of the remainder or \$30
64 million in each fiscal year, to be used for the preservation and
65 repair of the state's beaches as provided in ss. 161.091-
66 161.212.

67 ~~5. The Marine Resources Conservation Trust Fund in the~~
68 ~~amount of the lesser of .14 percent of the remainder or \$2~~
69 ~~million in each fiscal year, to be used for marine mammal care~~
70 ~~as provided in s. 379.208(3).~~

71 5.6. General Inspection Trust Fund in the amount of the
72 lesser of .02 percent of the remainder or \$300,000 in each
73 fiscal year to be used to fund oyster management and restoration
74 programs as provided in s. 379.362(3).

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76 Moneys distributed pursuant to this paragraph may not be pledged
77 for debt service unless such pledge is approved by referendum of
78 the voters.

79 Section 2. Subsections (1) and (3) of section 379.208,
80 Florida Statutes, are amended to read:

81 379.208 Marine Resources Conservation Trust Fund;
82 purposes.—

83 (1) The Marine Resources Conservation Trust Fund within the
84 Fish and Wildlife Conservation Commission shall serve as a
85 broad-based depository for funds from various marine-related and
86 boating-related activities and shall be administered by the
87 commission for the purposes of:

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88 (a) Funding for marine research.

89 (b) Funding for fishery enhancement, including, but not
90 limited to, fishery statistics development, artificial reefs,
91 and fish hatcheries.

92 (c) Funding for marine law enforcement.

93 (d) Funding for administration of licensing programs for
94 recreational fishing, saltwater products sales, and related
95 information and education activities.

96 (e) Funding for the operations of the Fish and Wildlife
97 Conservation Commission.

98 (f) Funding for titling and registration of vessels.

99 (g) Funding for marine turtle protection, research, and
100 recovery activities from revenues that are specifically credited
101 to the trust fund for these purposes.

102 (h) Funding activities for rehabilitation of oyster
103 harvesting areas from which special oyster surcharge fees are
104 collected, including relaying and transplanting live oysters.

105 (i) Funding for boating research, boating-related programs
106 and activities, and for law enforcement on state waters.

107 (j) Funding for the stone crab trap reduction program under
108 s. 379.365, the blue crab effort management program under s.
109 379.366, the spiny lobster trap certificate program under s.
110 379.3671, and the trap retrieval program under s. 379.2424.

111 (k) Funding to reimburse the cost of activities authorized
112 pursuant to the Fish and Wildlife Service of the United States
113 Department of the Interior. The facilities must be involved in
114 the actual rescue and full-time acute care, veterinarian-based
115 rehabilitation of manatees. The cost of activities includes, but
116 is not limited to, costs associated with expansion, capital

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117 outlay, repair, maintenance, and operation related to the
118 rescue, treatment, stabilization, maintenance, release, and
119 monitoring of manatees. Moneys distributed through the
120 contractual agreement to each facility for manatee
121 rehabilitation must be proportionate to the number of manatees
122 under acute care rehabilitation, the number of maintenance days
123 medically necessary in the facility, and the number released
124 during the previous fiscal year. The commission may set a cap on
125 the total amount reimbursed per manatee per year.

126 (1) Funding for training on the care, treatment, and
127 rehabilitation of marine mammals at the Whitney Laboratory and
128 the College of Veterinary Medicine at the University of Florida.

129 (m) Funding for program administration costs of the agency.

130 ~~(3) Funds provided to the Marine Resources Conservation~~
131 ~~Trust Fund from taxes distributed under s. 201.15 shall be used~~
132 ~~for the following purposes:~~

133 ~~(a) To reimburse the cost of activities authorized pursuant~~
134 ~~to the Fish and Wildlife Service of the United States Department~~
135 ~~of the Interior. The facilities must be involved in the actual~~
136 ~~rescue and full-time acute care veterinarian-based~~
137 ~~rehabilitation of manatees. The cost of activities includes, but~~
138 ~~is not limited to, costs associated with expansion, capital~~
139 ~~outlay, repair, maintenance, and operation related to the~~
140 ~~rescue, treatment, stabilization, maintenance, release, and~~
141 ~~monitoring of manatees. Moneys distributed through the~~
142 ~~contractual agreement to each facility for manatee~~
143 ~~rehabilitation must be proportionate to the number of manatees~~
144 ~~under acute care rehabilitation; the number of maintenance days~~
145 ~~medically necessary in the facility; and the number released~~

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146 ~~during the previous fiscal year. The commission may set a cap on~~
147 ~~the total amount reimbursed per manatee per year.~~

148 ~~(b) For training on the care, treatment, and rehabilitation~~
149 ~~of marine mammals at the Whitney Laboratory and the College of~~
150 ~~Veterinary Medicine at the University of Florida.~~

151 ~~(c) For program administration costs of the agency.~~

152 ~~(d) Funds not distributed in any 1 fiscal year must be~~
153 ~~carried over for distribution in subsequent years.~~

154 Section 3. This act shall take effect upon becoming a law.