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LEGISLATIVE ACTION

Senate

House

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Floor: 5/AD/2R

04/28/2010 05:02 PM

Senator Gardiner moved the following:

Senate Amendment (with title amendment)

Delete lines 1501 - 1579

and insert:

at any time received by it. The bonds issued by or on behalf of the authority, their transfer, and all the income therefrom, including any profits made on the sale thereof, shall at all times be free from taxation of any kind by the state or by any political subdivision or other taxing agency or instrumentality thereof. The exemption granted by this section does not apply to any tax imposed under chapter 220 on interest, income, or profits on debt obligations owned by coporations.

348.9961 Automatic dissolution.—If, before January 1, 2020,



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14 the authority has not encumbered any funds to further its
15 purposes and powers as authorized in s. 348.9953 to establish
16 the system, the Osceola County Expressway Authority is
17 dissolved.

18 Section 31. Subsections (2) and (5) and paragraph (b) of
19 subsection (9) of section 373.41492, Florida Statutes, are
20 amended to read:

21 373.41492 Miami-Dade County Lake Belt Mitigation Plan;
22 mitigation for mining activities within the Miami-Dade County
23 Lake Belt.—

24 (2) To provide for the mitigation of wetland resources lost
25 to mining activities within the Miami-Dade County Lake Belt
26 Plan, effective October 1, 1999, a mitigation fee is imposed on
27 each ton of limerock and sand extracted by any person who
28 engages in the business of extracting limerock or sand from
29 within the Miami-Dade County Lake Belt Area and the east one-
30 half of sections 24 and 25 and all of sections 35 and 36,
31 Township 53 South, Range 39 East. The mitigation fee is imposed
32 for each ton of limerock and sand sold from within the
33 properties where the fee applies in raw, processed, or
34 manufactured form, including, but not limited to, sized
35 aggregate, asphalt, cement, concrete, and other limerock and
36 concrete products. The mitigation fee imposed by this subsection
37 for each ton of limerock and sand sold shall be 12 cents per ton
38 beginning January 1, 2007; 18 cents per ton beginning January 1,
39 2008; ~~and~~ 24 cents per ton beginning January 1, 2009; and 45
40 cents per ton beginning close of business December 31, 2011. To
41 upgrade a water treatment plant that treats water coming from
42 the Northwest Wellfield in Miami-Dade County, a water treatment



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43 plant upgrade fee is imposed within the same Lake Belt Area
44 subject to the mitigation fee and upon the same kind of mined
45 limerock and sand subject to the mitigation fee. The water
46 treatment plant upgrade fee imposed by this subsection for each
47 ton of limerock and sand sold shall be 15 cents per ton
48 beginning on January 1, 2007, and the collection of this fee
49 shall cease once the total amount of proceeds collected for this
50 fee reaches the amount of the actual moneys necessary to design
51 and construct the water treatment plant upgrade, as determined
52 in an open, public solicitation process. Any limerock or sand
53 that is used within the mine from which the limerock or sand is
54 extracted is exempt from the fees. The amount of the mitigation
55 fee and the water treatment plant upgrade fee imposed under this
56 section must be stated separately on the invoice provided to the
57 purchaser of the limerock or sand product from the limerock or
58 sand miner, or its subsidiary or affiliate, for which the fee or
59 fees apply. The limerock or sand miner, or its subsidiary or
60 affiliate, who sells the limerock or sand product shall collect
61 the mitigation fee and the water treatment plant upgrade fee and
62 forward the proceeds of the fees to the Department of Revenue on
63 or before the 20th day of the month following the calendar month
64 in which the sale occurs.

65 (5) Each January 1 beginning January 1, 2010, through
66 December 31, 2011 ~~and each January 1 thereafter~~, the per-ton
67 mitigation fee shall be increased by 2.1 percentage points, plus
68 a cost growth index. The cost growth index shall be the
69 percentage change in the weighted average of the Employment Cost
70 Index for All Civilian Workers (ecu 10001I), issued by the
71 United States Department of Labor for the most recent 12-month



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72 period ending on September 30, and the percentage change in the
73 Producer Price Index for All Commodities (WPU 00000000), issued
74 by the United States Department of Labor for the most recent 12-
75 month period ending on September 30, compared to the weighted
76 average of these indices for the previous year. The weighted
77 average shall be calculated as 0.6 times the percentage change
78 in the Employment Cost Index for All Civilian Workers (ecu
79 10001I), plus 0.4 times the percentage change in the Producer
80 Price Index for All Commodities (WPU 00000000). If either index
81 is discontinued, it shall be replaced by its successor index, as
82 identified by the United States Department of Labor.

83 (9)

84 (b) No sooner than January 31, 2010, and no more frequently
85 than every 2 ~~5~~ years thereafter, the interagency committee shall
86 submit to the Legislature a report recommending any needed
87 adjustments to the mitigation fee, including the annual
88 escalator provided for in subsection (5), to ensure that the
89 revenue generated reflects the actual costs of the mitigation.

90 Section 32. Subsection (1) of section 403.4131, Florida
91 Statutes, is amended to read:

92 403.4131 Litter control.—

93 (1) The Department of Transportation shall establish an
94 "adopt-a-highway" program to allow local organizations to be
95 identified with specific highway cleanup and highway
96 beautification projects authorized under s. 339.2405. ~~The~~
97 ~~department shall report to the Governor and the Legislature on~~
98 ~~the progress achieved and the savings incurred by the "adopt-a-~~
99 ~~highway" program.~~ The department shall also monitor and report
100 ~~on~~ compliance with the provisions of the adopt-a-highway program



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101 to ensure that organizations participating ~~that participate~~ in
102 the program comply with the goals identified by the department.

103

104 ===== T I T L E A M E N D M E N T =====

105 And the title is amended as follows:

106 Delete line 140

107 and insert:

108 of an interagency committee report; amending s. 403.4131,
109 F.S.; removing provisions relating to a report on the adopt-a-
110 highway program; designating parts