

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Budget Committee

BILL: SPB 7142

INTRODUCER: For consideration by the Budget Committee

SUBJECT: Pollution Control

DATE: March 28, 2011 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Pigott	Meyer, C.		Pre-meeting
2.				
3.				
4.				
5.				
6.				

I. Summary:

This bill expands the use of existing service fees in the Federal Water Pollution Control Act to include other water quality activities administered by the Department of Environmental Protection (department). The bill also changes the deposit of revenues from the Grants and Donations Trust Fund to the Federal Grants Trust Fund within the department.

This bill has a recurring positive state fiscal impact of \$1.8 million to the General Revenue Fund and \$300,000 to the Permit Fee Trust Fund within the department.

This bill substantially amends section 403.1835, Florida Statutes.

II. Present Situation:

Through the Water Pollution Control Financial Assistance program, the department provides low-interest loans and grants to local government agencies for the purposes of planning, design, construction, and implementation of wastewater management systems, stormwater management systems, nonpoint source pollution management systems, and estuary conservation and management. Funds to establish or capitalize the Water Pollution Control Financial Assistance program are provided through federal government grants and state matching funds. Repayments from earlier loans are returned to the program to make new loans, allowing the program to operate in perpetuity.

Section 403.1835, F.S., authorizes the department to assess loan recipients a service fee, which is currently restricted to support program administration. The revenues are deposited into the department's Grants and Donations Trust Fund. Under the Federal Water Pollution Control Act,

service fees may be used for other water quality activities, as well as administration of the program.

III. Effect of Proposed Changes:

The bill aligns state law with federal authorization by expanding the use of service fees collected through the Water Pollution Control Financial Assistance program to offset costs related to other water quality activities. These activities include monitoring, developing total maximum daily loads, watershed restoration best management practices, and source water assessments.

The expanded use of these service fees allows the department to reduce appropriations from the General Revenue Fund and the Permit Fee Trust Fund to the Federal Grants Trust Fund. In addition, the bill directs that all future service fee revenue be deposited into the Federal Grants Trust Fund within the department.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill has a recurring positive fiscal impact of \$1.8 million to the General Revenue Fund and \$300,000 to the Permit Fee Trust Fund by transferring costs associated with water quality activities from the General Revenue Fund and the Permit Fee Trust Fund to the Federal Grants Trust Fund. This bill may reduce the amount of funding available for loans or grants to local governments.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
