



ENROLLED

HB 989, Engrossed 1

2016 Legislature

1  
2 An act relating to implementation of the water and  
3 land conservation constitutional amendment; providing  
4 legislative intent; amending s. 375.041, F.S.;  
5 requiring specified amounts of funds within the Land  
6 Acquisition Trust Fund to be appropriated for certain  
7 projects; providing a preference in the use of funds  
8 distributed for Everglades restoration projects for  
9 projects that reduce harmful discharges to the St.  
10 Lucie estuary and the Caloosahatchee estuary;  
11 requiring such appropriations to be reduced by an  
12 amount equal to the debt service paid on bonds issued  
13 for specified purposes; deleting an obsolete  
14 provision; providing an effective date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

17  
18 Section 1. As reflected in the 2016-2017 General  
19 Appropriations Act, HB 5001, and this act, the Legislature  
20 recognizes the critical importance of restoring and preserving  
21 Florida's water and natural resources and is committed to long-  
22 term funding for the Everglades and Florida's springs.

23 Section 2. Subsection (3) of section 375.041, Florida  
24 Statutes, is amended to read:

25 375.041 Land Acquisition Trust Fund.—

26 (3) Funds distributed into the Land Acquisition Trust Fund



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27 pursuant to s. 201.15 shall be applied:

28 (a) First, to pay debt service or to fund debt service  
 29 reserve funds, rebate obligations, or other amounts payable with  
 30 respect to Florida Forever bonds issued under s. 215.618; and  
 31 pay debt service, provide reserves, and pay rebate obligations  
 32 and other amounts due with respect to Everglades restoration  
 33 bonds issued under s. 215.619; and

34 (b) Of the funds remaining after the payments required  
 35 under paragraph (a), but before funds may be appropriated,  
 36 pledged, or dedicated for other uses:

37 1. A minimum of the lesser of 25 percent or \$200 million  
 38 shall be appropriated annually for Everglades projects that  
 39 implement the Comprehensive Everglades Restoration Plan as set  
 40 forth in s. 373.470, including the Central Everglades Planning  
 41 Project subject to Congressional authorization; the Long-Term  
 42 Plan as defined in s. 373.4592(2); and the Northern Everglades  
 43 and Estuaries Protection Program as set forth in s. 373.4595.  
 44 From these funds, \$32 million shall be distributed each fiscal  
 45 year through the 2023-2024 fiscal year to the South Florida  
 46 Water Management District for the Long-Term Plan as defined in  
 47 s. 373.4592(2). After deducting the \$32 million distributed  
 48 under this subparagraph, from the funds remaining, a minimum of  
 49 the lesser of 76.5 percent or \$100 million shall be appropriated  
 50 each fiscal year through the 2025-2026 fiscal year for the  
 51 planning, design, engineering, and construction of the  
 52 Comprehensive Everglades Restoration Plan as set forth in s.



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53 373.470, including the Central Everglades Planning Project  
54 subject to Congressional authorization. The Department of  
55 Environmental Protection and the South Florida Water Management  
56 District shall give preference to those Everglades restoration  
57 projects that reduce harmful discharges of water from Lake  
58 Okeechobee to the St. Lucie or Caloosahatchee estuaries in a  
59 timely manner. For the purpose of performing the calculation  
60 provided in this subparagraph, the amount of debt service paid  
61 pursuant to paragraph (a) for bonds issued after July 1, 2016,  
62 for the purposes set forth under paragraph (b) shall be added to  
63 the amount remaining after the payments required under paragraph  
64 (a). The amount of the distribution calculated shall then be  
65 reduced by an amount equal to the debt service paid pursuant to  
66 paragraph (a) on bonds issued after July 1, 2016, for the  
67 purposes set forth under this subparagraph.

68 2. A minimum of the lesser of 7.6 percent or \$50 million  
69 shall be appropriated annually for spring restoration,  
70 protection, and management projects. For the purpose of  
71 performing the calculation provided in this subparagraph, the  
72 amount of debt service paid pursuant to paragraph (a) for bonds  
73 issued after July 1, 2016, for the purposes set forth under  
74 paragraph (b) shall be added to the amount remaining after the  
75 payments required under paragraph (a). The amount of the  
76 distribution calculated shall then be reduced by an amount equal  
77 to the debt service paid pursuant to paragraph (a) on bonds  
78 issued after July 1, 2016, for the purposes set forth under this



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79 | subparagraph.

80 |       3. The sum of \$5 million shall be appropriated annually  
81 | each fiscal year through the 2025-2026 fiscal year to the St.  
82 | Johns River Water Management District for projects dedicated to  
83 | the restoration of Lake Apopka. This distribution shall be  
84 | reduced by an amount equal to the debt service paid pursuant to  
85 | paragraph (a) on bonds issued after July 1, 2016, for the  
86 | purposes set forth in this subparagraph ~~Then, to pay the debt~~  
87 | ~~service on bonds issued before February 1, 2009, by the South~~  
88 | ~~Florida Water Management District and the St. Johns River Water~~  
89 | ~~Management District, which are secured by revenues provided~~  
90 | ~~pursuant to former s. 373.59, Florida Statutes 2014, or which~~  
91 | ~~are necessary to fund debt service reserve funds, rebate~~  
92 | ~~obligations, or other amounts payable with respect to such~~  
93 | ~~bonds. This paragraph expires July 1, 2016; and~~

94 |       ~~(c) Then, to distribute \$32 million each fiscal year to~~  
95 | ~~the South Florida Water Management District for the Long-Term~~  
96 | ~~Plan as defined in s. 373.4592(2). This paragraph expires July~~  
97 | ~~1, 2024.~~

98 |       Section 3. This act shall take effect July 1, 2016.