

By the Committee on Environment and Natural Resources; and
Senator Montford

592-02707-19

2019376c1

1 A bill to be entitled
2 An act relating to the Land Acquisition Trust Fund;
3 amending s. 375.041, F.S.; requiring that certain
4 funds distributed into the Land Acquisition Trust Fund
5 be used for conservation and management projects in
6 certain counties; providing the types of projects for
7 which the Department of Environmental Protection may
8 use such funds; authorizing the department to
9 distribute such funds to the appropriate agency;
10 removing an obsolete provision; providing an effective
11 date.

12
13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Subsection (3) of section 375.041, Florida
16 Statutes, is amended to read:

17 375.041 Land Acquisition Trust Fund.—

18 (3) Funds distributed into the Land Acquisition Trust Fund
19 pursuant to s. 201.15 must ~~shall~~ be applied:

20 (a) First, to pay debt service or to fund debt service
21 reserve funds, rebate obligations, or other amounts payable with
22 respect to Florida Forever bonds issued under s. 215.618; and
23 pay debt service, provide reserves, and pay rebate obligations
24 and other amounts due with respect to Everglades restoration
25 bonds issued under s. 215.619; and

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

29 1. A minimum of the lesser of 25 percent or \$200 million

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30 must ~~shall~~ be appropriated annually for Everglades projects that
31 implement the Comprehensive Everglades Restoration Plan as set
32 forth in s. 373.470, including the Central Everglades Planning
33 Project subject to Congressional authorization; the Long-Term
34 Plan as defined in s. 373.4592(2); and the Northern Everglades
35 and Estuaries Protection Program as set forth in s. 373.4595.
36 From these funds, \$32 million must ~~shall~~ be distributed each
37 fiscal year through the 2023-2024 fiscal year to the South
38 Florida Water Management District for the Long-Term Plan as
39 defined in s. 373.4592(2). After deducting the \$32 million
40 distributed under this subparagraph, from the funds remaining, a
41 minimum of the lesser of 76.5 percent or \$100 million must ~~shall~~
42 be appropriated each fiscal year through the 2025-2026 fiscal
43 year for the planning, design, engineering, and construction of
44 the Comprehensive Everglades Restoration Plan as set forth in s.
45 373.470, including the Central Everglades Planning Project, the
46 Everglades Agricultural Area Storage Reservoir Project, the Lake
47 Okeechobee Watershed Project, the C-43 West Basin Storage
48 Reservoir Project, the Indian River Lagoon-South Project, the
49 Western Everglades Restoration Project, and the Picayune Strand
50 Restoration Project. The Department of Environmental Protection
51 and the South Florida Water Management District shall give
52 preference to those Everglades restoration projects that reduce
53 harmful discharges of water from Lake Okeechobee to the St.
54 Lucie or Caloosahatchee estuaries in a timely manner. For the
55 purpose of performing the calculation provided in this
56 subparagraph, the amount of debt service paid pursuant to
57 paragraph (a) for bonds issued after July 1, 2016, for the
58 purposes set forth under this paragraph must ~~(b) shall~~ be added

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59 to the amount remaining after the payments required under
60 paragraph (a). The amount of the distribution calculated must
61 ~~shall~~ then be reduced by an amount equal to the debt service
62 paid pursuant to paragraph (a) on bonds issued after July 1,
63 2016, for the purposes set forth under this subparagraph.

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

76 3. The sum of \$5 million must ~~shall~~ be appropriated
77 annually each fiscal year through the 2025-2026 fiscal year to
78 the St. Johns River Water Management District for projects
79 dedicated to the restoration of Lake Apopka. This distribution
80 must ~~shall~~ be reduced by an amount equal to the debt service
81 paid pursuant to paragraph (a) on bonds issued after July 1,
82 2016, for the purposes set forth in this subparagraph.

83 4. The sum of \$64 million is appropriated and must ~~shall~~ be
84 transferred to the Everglades Trust Fund for the 2018-2019
85 fiscal year, and each fiscal year thereafter, for the EAA
86 reservoir project pursuant to s. 373.4598. Any funds remaining
87 in any fiscal year must ~~shall~~ be made available only for Phase

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88 II of the C-51 reservoir project or projects identified in
89 subparagraph 1. and must be used in accordance with laws
90 relating to such projects. Any funds made available for such
91 purposes in a fiscal year are in addition to the amount
92 appropriated under subparagraph 1. This distribution must ~~shall~~
93 be reduced by an amount equal to the debt service paid pursuant
94 to paragraph (a) on bonds issued after July 1, 2017, for the
95 purposes set forth in this subparagraph.

96 5. The sum of \$50 million must be appropriated each fiscal
97 year through the 2025-2026 fiscal year for projects dedicated to
98 conservation and management projects in the following counties
99 impacted by Hurricane Michael during the 2018 hurricane season:
100 Bay, Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson,
101 Jefferson, Leon, Liberty, Okaloosa, Wakulla, Walton, and
102 Washington. This distribution must be reduced by an amount equal
103 to the debt service paid pursuant to paragraph (a) on bonds
104 issued after July 1, 2019, for the purposes set forth in this
105 subparagraph. The Department of Environmental Protection may use
106 these funds, and may distribute to the appropriate agency to use
107 these funds, for reforestation; ecosystem management; fire
108 control measures; debris removal; pollution mitigation; beach
109 nourishment; coastal or shore protection structures; and land
110 acquisition ~~Notwithstanding subparagraph 3., for the 2018-2019~~
111 ~~fiscal year, funds shall be appropriated as provided in the~~
112 ~~General Appropriations Act. This subparagraph expires July 1,~~
113 ~~2019.~~

114 Section 2. This act shall take effect July 1, 2019.