

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Kyle offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause, and insert:

Section 1. Section 201.15, Florida Statutes, is amended to read:

201.15 Distribution of taxes collected.--All taxes collected under this chapter shall be distributed as follows ~~and shall be subject to the service charge imposed in s. 215.20(1), except that such service charge shall not be levied against any portion of taxes pledged to debt service on bonds to the extent that the amount of the service charge is required to pay any amounts relating to the bonds:~~

(1) Seventy-eight and nine hundred forty-six thousandths ~~Sixty two and sixty three hundredths~~ percent of the remaining taxes collected under this chapter shall be used for the following purposes:

Amendment No. (for drafter's use only)

28 (a) Amounts as shall be necessary to pay the debt service
29 on, or fund debt service reserve funds, rebate obligations, or
30 other amounts payable with respect to Preservation 2000 bonds
31 issued pursuant to s. 375.051 and Florida Forever bonds issued
32 pursuant to s. 215.618, shall be paid into the State Treasury to
33 the credit of the Land Acquisition Trust Fund to be used for
34 such purposes. The amount transferred to the Land Acquisition
35 Trust Fund for such purposes shall not exceed \$300 million in
36 fiscal year 1999-2000 and thereafter for Preservation 2000 bonds
37 and bonds issued to refund Preservation 2000 bonds, and \$300
38 million in fiscal year 2000-2001 and thereafter for Florida
39 Forever bonds. The annual amount transferred to the Land
40 Acquisition Trust Fund for Florida Forever bonds shall not
41 exceed \$30 million in the first fiscal year in which bonds are
42 issued. The limitation on the amount transferred shall be
43 increased by an additional \$30 million in each subsequent fiscal
44 year, but shall not exceed a total of \$300 million in any fiscal
45 year for all bonds issued. It is the intent of the Legislature
46 that all bonds issued to fund the Florida Forever Act be retired
47 by December 31, 2030. Except for bonds issued to refund
48 previously issued bonds, no series of bonds may be issued
49 pursuant to this paragraph unless such bonds are approved and
50 the debt service for the remainder of the fiscal year in which
51 the bonds are issued is specifically appropriated in the General
52 Appropriations Act. For purposes of refunding Preservation 2000
53 bonds, amounts designated within this section for Preservation
54 2000 and Florida Forever bonds may be transferred between the
55 two programs to the extent provided for in the documents
56 authorizing the issuance of the bonds. The Preservation 2000

023159

Amendment No. (for drafter's use only)

57 bonds and Florida Forever bonds shall be equally and ratably
58 secured by moneys distributable to the Land Acquisition Trust
59 Fund pursuant to this section, except to the extent specifically
60 provided otherwise by the documents authorizing the issuance of
61 the bonds. No moneys transferred to the Land Acquisition Trust
62 Fund pursuant to this paragraph, or earnings thereon, shall be
63 used or made available to pay debt service on the Save Our Coast
64 revenue bonds.

65 (b) The remainder of the moneys distributed under this
66 subsection, after the required payment under paragraph (a),
67 shall be paid into the State Treasury to the credit of the Save
68 Our Everglades Trust Fund in amounts necessary to pay debt
69 service, provide reserves, and pay rebate obligations and other
70 amounts due with respect to bonds issued under s. 215.619.

71 ~~(c) The remainder of the moneys distributed under this~~
72 ~~subsection, after the required payments under paragraphs (a) and~~
73 ~~(b), shall be paid into the State Treasury to the credit of the~~
74 ~~Land Acquisition Trust Fund and may be used for any purpose for~~
75 ~~which funds deposited in the Land Acquisition Trust Fund may~~
76 ~~lawfully be used. Payments made under this paragraph shall~~
77 ~~continue until the cumulative amount credited to the Land~~
78 ~~Acquisition Trust Fund for the fiscal year under this paragraph~~
79 ~~and paragraph (2)(b) equals 70 percent of the current official~~
80 ~~forecast for distributions of taxes collected under this chapter~~
81 ~~pursuant to subsection (2). As used in this paragraph, the term~~
82 ~~"current official forecast" means the most recent forecast as~~
83 ~~determined by the Revenue Estimating Conference. If the current~~
84 ~~official forecast for a fiscal year changes after payments under~~
85 ~~this paragraph have ended during that fiscal year, no further~~

023159

Amendment No. (for drafter's use only)

86 ~~payments are required under this paragraph during the fiscal~~
87 ~~year.~~

88 ~~(c)(d)~~ The remainder of the moneys distributed under this
89 subsection, after the required payments under paragraphs (a)
90 ~~and~~, (b), ~~and (c)~~, shall be paid into the State Treasury to the
91 credit of the General Revenue Fund of the state to be used and
92 expended for the purposes for which the General Revenue Fund was
93 created and exists by law ~~or to the Ecosystem Management and~~
94 ~~Restoration Trust Fund or to the Marine Resources Conservation~~
95 ~~Trust Fund as provided in subsection (11).~~

96 (2) Eight and seven hundred twenty-four thousandths Seven
97 and fifty six hundredths percent of the remaining taxes
98 collected under this chapter shall be paid into the State
99 Treasury to the credit of the General Revenue Fund. Amounts
100 distributed under this subsection are subject to payment of debt
101 service on bonds issued to acquire coastal lands through deposit
102 into the Land Acquisition Trust Fund. Any moneys remaining after
103 payment of such debt service shall be available for any purpose
104 for which funds in the General Revenue Fund may be lawfully
105 used.

106 (3) Four and eighty-five hundredths percent of the taxes
107 collected under this chapter shall be used for the following
108 purposes:

109 (a) Amounts as shall be necessary to fully fund the annual
110 debt service reserve in the Affordable Housing Guarantee Fund
111 pursuant to s. 420.5092(6)(a) shall be paid into the State
112 Treasury to the credit of the Affordable Housing Guarantee Fund
113 to be used for the purposes described in that paragraph.

Amendment No. (for drafter's use only)

114 (b) Amounts as shall be necessary to maintain or restore
115 the claims paying rating assigned to the Affordable Housing
116 Guarantee Fund such that the rating is not less than the third-
117 highest rating classification of any nationally recognized
118 rating service rating the fund shall, pursuant to s.
119 420.5092(6)(b), be paid into the State Treasury to the credit of
120 the Affordable Housing Guarantee Fund to be used for the
121 purposes described in that paragraph.

122 ~~(a) Beginning in the month following the final payment for~~
123 ~~a fiscal year under paragraph (1)(c), available moneys shall be~~
124 ~~paid into the State Treasury to the credit of the General~~
125 ~~Revenue Fund of the state to be used and expended for the~~
126 ~~purposes for which the General Revenue Fund was created and~~
127 ~~exists by law or to the Ecosystem Management and Restoration~~
128 ~~Trust Fund or to the Marine Resources Conservation Trust Fund as~~
129 ~~provided in subsection (11). Payments made under this paragraph~~
130 ~~shall continue until the cumulative amount credited to the~~
131 ~~General Revenue Fund for the fiscal year under this paragraph~~
132 ~~equals the cumulative payments made under paragraph (1)(c) for~~
133 ~~the same fiscal year.~~

134 ~~(c)(b)~~ The remainder of the moneys distributed under this
135 subsection, after the required payments under paragraphs (a) and
136 (b), shall be paid into the State Treasury to the credit of the
137 General Revenue Fund Land Acquisition Trust Fund. Sums deposited
138 in the fund pursuant to this subsection may be used for any
139 purpose for which funds deposited in the Land Acquisition Trust
140 Fund may lawfully be used.

141 ~~(4)(3)~~ Seven and forty-eight ~~One and ninety-four~~
142 hundredths percent of the remaining taxes collected under this

023159

Amendment No. (for drafter's use only)

143 chapter shall be paid into the State Treasury to the credit of
144 the General Revenue Fund. Amounts distributed pursuant to this
145 subsection are subject to payment of debt service on outstanding
146 Conservation and Recreation Lands revenue bonds through deposit
147 into the Land Acquisition Trust Fund. Moneys deposited in the
148 trust fund pursuant to this section shall be used for the
149 following purposes:

150 (a) ~~Sixty percent of the moneys shall be used to acquire~~
151 ~~coastal lands or to pay debt service on bonds issued to acquire~~
152 ~~coastal lands; and~~

153 (b) ~~Forty percent of the moneys shall be used to develop~~
154 ~~and manage lands acquired with moneys from the Land Acquisition~~
155 ~~Trust Fund.~~

156 (4) ~~Four and two tenths percent of the remaining taxes~~
157 ~~collected under this chapter shall be paid into the State~~
158 ~~Treasury to the credit of the Water Management Lands Trust Fund.~~
159 ~~Sums deposited in that fund may be used for any purpose~~
160 ~~authorized in s. 373.59.~~

161 (5) ~~Four and two tenths percent of the remaining taxes~~
162 ~~collected under this chapter shall be paid into the State~~
163 ~~Treasury to the credit of the Conservation and Recreation Lands~~
164 ~~Trust Fund to carry out the purposes set forth in s. 259.032.~~
165 ~~Nine and one-half percent of the amount credited to the~~
166 ~~Conservation and Recreation Lands Trust Fund pursuant to this~~
167 ~~subsection shall be transferred to the State Game Trust Fund and~~
168 ~~used for land management activities.~~

169 (6) ~~Two and twenty-eight hundredths percent of the~~
170 ~~remaining taxes collected under this chapter shall be paid into~~
171 ~~the State Treasury to the credit of the Invasive Plant Control~~

023159

Amendment No. (for drafter's use only)

172 ~~Trust Fund to carry out the purposes set forth in ss. 369.22 and~~
173 ~~369.252.~~

174 ~~(7) One half of one percent of the remaining taxes~~
175 ~~collected under this chapter shall be paid into the State~~
176 ~~Treasury to the credit of the State Game Trust Fund to be used~~
177 ~~exclusively for the purpose of implementing the Lake Restoration~~
178 ~~2020 Program.~~

179 ~~(8) One half of one percent of the remaining taxes~~
180 ~~collected under this chapter shall be paid into the State~~
181 ~~Treasury and divided equally to the credit of the Department of~~
182 ~~Environmental Protection Water Quality Assurance Trust Fund to~~
183 ~~address water quality impacts associated with nonagricultural~~
184 ~~nonpoint sources and to the credit of the Department of~~
185 ~~Agriculture and Consumer Services General Inspection Trust Fund~~
186 ~~to address water quality impacts associated with agricultural~~
187 ~~nonpoint sources, respectively. These funds shall be used for~~
188 ~~research, development, demonstration, and implementation of~~
189 ~~suitable best management practices or other measures used to~~
190 ~~achieve water quality standards in surface waters and water~~
191 ~~segments identified pursuant to ss. 303(d) of the Clean Water~~
192 ~~Act, Pub. L. No. 92-500, 33 U.S.C. ss. 1251 et seq.~~

193 ~~Implementation of best management practices and other measures~~
194 ~~may include cost-share grants, technical assistance,~~
195 ~~implementation tracking, and conservation leases or other~~
196 ~~agreements for water quality improvement. The Department of~~
197 ~~Environmental Protection and the Department of Agriculture and~~
198 ~~Consumer Services may adopt rules governing the distribution of~~
199 ~~funds for implementation of best management practices. The~~
200 ~~unobligated balance of funds received from the distribution of~~

023159

Amendment No. (for drafter's use only)

201 ~~taxes collected under this chapter to address water quality~~
202 ~~impacts associated with nonagricultural nonpoint sources will be~~
203 ~~excluded when calculating the unobligated balance of the Water~~
204 ~~Quality Assurance Trust Fund as it relates to the determination~~
205 ~~of the applicable excise tax rate.~~

206 ~~(9) Seven and fifty three hundredths percent of the~~
207 ~~remaining taxes collected under this chapter shall be paid into~~
208 ~~the State Treasury to the credit of the State Housing Trust Fund~~
209 ~~and shall be used as follows:~~

210 ~~(a) Half of that amount shall be used for the purposes for~~
211 ~~which the State Housing Trust Fund was created and exists by~~
212 ~~law.~~

213 ~~(b) Half of that amount shall be paid into the State~~
214 ~~Treasury to the credit of the Local Government Housing Trust~~
215 ~~Fund and shall be used for the purposes for which the Local~~
216 ~~Government Housing Trust Fund was created and exists by law.~~

217 ~~(10) Eight and sixty six hundredths percent of the~~
218 ~~remaining taxes collected under this chapter shall be paid into~~
219 ~~the State Treasury to the credit of the State Housing Trust Fund~~
220 ~~and shall be used as follows:~~

221 ~~(a) Twelve and one half percent of that amount shall be~~
222 ~~deposited into the State Housing Trust Fund and be expended by~~
223 ~~the Department of Community Affairs and by the Florida Housing~~
224 ~~Finance Corporation for the purposes for which the State Housing~~
225 ~~Trust Fund was created and exists by law.~~

226 ~~(b) Eighty seven and one half percent of that amount shall~~
227 ~~be distributed to the Local Government Housing Trust Fund and~~
228 ~~shall be used for the purposes for which the Local Government~~
229 ~~Housing Trust Fund was created and exists by law. Funds from~~

023159

Amendment No. (for drafter's use only)

230 ~~this category may also be used to provide for state and local~~
231 ~~services to assist the homeless.~~

232 ~~(11) From the moneys specified in paragraphs (1)(d) and~~
233 ~~(2)(a) and prior to deposit of any moneys into the General~~
234 ~~Revenue Fund, \$30 million shall be paid into the State Treasury~~
235 ~~to the credit of the Ecosystem Management and Restoration Trust~~
236 ~~Fund in fiscal year 2000-2001 and each fiscal year thereafter,~~
237 ~~to be used for the preservation and repair of the state's~~
238 ~~beaches as provided in ss. 161.091-161.212, and \$2 million shall~~
239 ~~be paid into the State Treasury to the credit of the Marine~~
240 ~~Resources Conservation Trust Fund to be used for marine mammal~~
241 ~~care as provided in s. 370.0603(3).~~

242 ~~(5)(12)~~ The Department of Revenue may use the payments
243 credited to the General Revenue Fund ~~trust funds pursuant to~~
244 ~~paragraphs (1)(c) and (2)(b) and subsections (3), (4), (5), (6),~~
245 ~~(7), (8), (9), and (10) to pay the costs of the collection and~~
246 ~~enforcement of the tax levied by this chapter. The percentage of~~
247 ~~such costs which may be assessed against a trust fund is a~~
248 ~~ratio, the numerator of which is payments credited to that trust~~
249 ~~fund under this section and the denominator of which is the sum~~
250 ~~of payments made under paragraphs (1)(c) and (2)(b) and~~
251 ~~subsections (3), (4), (5), (6), (7), (8), (9), and (10).~~

252 ~~(6)(13)~~ Moneys appropriated to ~~The distribution of~~
253 ~~proceeds deposited into the Water Management Lands Trust Fund~~
254 ~~and the Conservation and Recreation Lands Trust Fund, pursuant~~
255 ~~to subsections (4) and (5), shall not be used for land~~
256 ~~acquisition, but may be used for preacquisition costs associated~~
257 ~~with land purchases. The Legislature intends that the Florida~~
258 ~~Forever program supplant the acquisition programs formerly~~

023159

Amendment No. (for drafter's use only)

259 authorized under ss. 259.032 and 373.59. Prior to the 2005
260 Regular Session of the Legislature, the Acquisition and
261 Restoration Council shall review and make recommendations to the
262 Legislature concerning the need to repeal this provision. Based
263 on these recommendations, the Legislature shall review the need
264 to repeal this provision during the 2005 Regular Session.

265 ~~(14) Amounts distributed pursuant to subsections (5), (6),~~
266 ~~(7) and (8) are subject to the payment of debt service on~~
267 ~~outstanding Conservation and Recreation Lands revenue bonds.~~

268 Section 2. Section 161.091, Florida Statutes, is amended
269 to read:

270 161.091 Beach management; funding; repair and maintenance
271 strategy.--

272 (1) Subject to such appropriations as the Legislature may
273 make therefor from time to time, disbursements from the
274 Ecosystem Management and Restoration Trust Fund may be made by
275 the department in order to carry out the proper state
276 responsibilities in a comprehensive, long-range, statewide beach
277 management plan for erosion control; beach preservation,
278 restoration, and nourishment; and storm and hurricane
279 protection. Legislative intent in appropriating such funds is
280 for the implementation of those projects that contribute most
281 significantly to addressing the state's beach erosion problems.

282 (2) The department shall develop a multiyear repair and
283 maintenance strategy that:

284 (a) Encourages regional approaches to ensure the
285 geographic coordination and sequencing of prioritized projects;

286 (b) Reduces equipment mobilization and demobilization
287 costs;

023159

Amendment No. (for drafter's use only)

288 (c) Maximizes the infusion of beach-quality sand into the
289 system;

290 (d) Extends the life of beach nourishment projects and
291 reduces the frequency of nourishment; and

292 (e) Promotes inlet sand bypassing to replicate the natural
293 flow of sand interrupted by improved, modified, or altered
294 inlets and ports.

295 ~~(3) In accordance with the intent expressed in s. 161.088~~
296 ~~and the legislative finding that erosion of the beaches of this~~
297 ~~state is detrimental to tourism, the state's major industry,~~
298 ~~further exposes the state's highly developed coastline to severe~~
299 ~~storm damage, and threatens beach-related jobs, which, if not~~
300 ~~stopped, could significantly reduce state sales tax revenues,~~
301 ~~funds deposited into the State Treasury to the credit of the~~
302 ~~Ecosystem Management and Restoration Trust Fund, in the annual~~
303 ~~amounts provided in s. 201.15(11), shall be used, for a period~~
304 ~~of not less than 15 years, to fund the development,~~
305 ~~implementation, and administration of the state's beach~~
306 ~~management plan, as provided in ss. 161.091-161.212, prior to~~
307 ~~the use of such funds deposited pursuant to s. 201.15(11) in~~
308 ~~that trust fund for any other purpose.~~

309 Section 3. Section 161.05301, Florida Statutes, is
310 repealed.

311 Section 4. Section 201.0205, Florida Statutes, is amended
312 to read:

313 201.0205 Counties that have implemented ch. 83-220;
314 inapplicability of 10-cent tax increase by s. 2, ch. 92-317,
315 Laws of Florida.--The 10-cent tax increase in the documentary
316 stamp tax levied by s. 2, chapter 92-317, does not apply to

023159

Amendment No. (for drafter's use only)

317 deeds and other taxable instruments relating to real property
318 located in any county that has implemented the provisions of
319 chapter 83-220, Laws of Florida, as amended by chapters 84-270,
320 86-152, and 89-252, Laws of Florida. ~~Each such county and each~~
321 ~~eligible jurisdiction within such county shall not be eligible~~
322 ~~to participate in programs funded pursuant to s. 201.15(6).~~
323 ~~However, each such county and each eligible jurisdiction within~~
324 ~~such county shall be eligible to participate in programs funded~~
325 ~~pursuant to s. 201.15(7).~~

326 Section 5. Paragraph (a) of subsection (2) of section
327 259.032, Florida Statutes, is amended to read:

328 259.032 Conservation and Recreation Lands Trust Fund;
329 purpose.--

330 (2)(a) The Conservation and Recreation Lands Trust Fund is
331 established within the Department of Environmental Protection.
332 The fund shall be used as a nonlapsing, revolving fund
333 exclusively for the purposes of this section. The fund shall be
334 credited with proceeds from the following excise taxes:

335 1. The excise taxes on documents and other funds
336 distributed to the trust fund as provided in s. 201.15. ~~and~~

337 2. The excise tax on the severance of phosphate rock as
338 provided in s. 211.3103.

339
340 The Department of Revenue shall credit to the fund each month
341 the proceeds from such taxes as provided in this paragraph.

342 Section 6. Subsection (4) of section 369.252, Florida
343 Statutes, is amended to read:

344 369.252 Invasive exotic plant control on public
345 lands.--The department shall establish a program to:

023159

Amendment No. (for drafter's use only)

346 (4) Use funds in the Invasive Plant Control Trust Fund as
347 authorized by the Legislature for carrying out activities under
348 this section on public lands. ~~Twenty percent of the amount~~
349 ~~credited to the Invasive Plant Control Trust Fund pursuant to s.~~
350 ~~201.15(6) shall be used for the purpose of controlling~~
351 ~~nonnative, upland, invasive plant species on public lands.~~

352 Section 7. Section 370.0603, Florida Statutes, is amended
353 to read:

354 370.0603 Marine Resources Conservation Trust Fund;
355 purposes.--

356 (1) The Marine Resources Conservation Trust Fund within
357 the Fish and Wildlife Conservation Commission shall serve as a
358 broad-based depository for funds from various marine-related
359 activities and shall be administered by the commission for the
360 purposes of:

361 (a) Funding for marine research.

362 (b) Funding for fishery enhancement, including, but not
363 limited to, fishery statistics development, artificial reefs,
364 and fish hatcheries.

365 (c) Funding for marine law enforcement.

366 (d) Funding for administration of licensing programs for
367 recreational fishing, saltwater products sales, and related
368 information and education activities.

369 (e) Funding for the operations of the Fish and Wildlife
370 Conservation Commission.

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

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

023159

Amendment No. (for drafter's use only)

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

378 (2) The Marine Resources Conservation Trust Fund shall
379 receive the proceeds from:

380 (a) All license fees collected pursuant to ss. 370.06 and
381 370.07.

382 (b) All funds collected from the registration of vessels
383 and other fees pursuant to s. 328.72.

384 (c) All fees collected pursuant to ss. 370.063, 370.142,
385 and 372.5704.

386 (d) All fines and penalties pursuant to s. 370.021.

387 (e) Other revenues as provided by law.

388 ~~(3) Funds provided to the Marine Resources Conservation~~
389 ~~Trust Fund from taxes distributed under s. 201.15(11) shall be~~
390 ~~used for the following purposes:~~

391 ~~(a) To reimburse the cost of activities authorized~~
392 ~~pursuant to the Fish and Wildlife Service of the United States~~
393 ~~Department of the Interior. Such facilities must be involved in~~
394 ~~the actual rescue and full-time acute care veterinarian-based~~
395 ~~rehabilitation of manatees. The cost of activities includes, but~~
396 ~~is not limited to, costs associated with expansion, capital~~
397 ~~outlay, repair, maintenance, and operation related to the~~
398 ~~rescue, treatment, stabilization, maintenance, release, and~~
399 ~~monitoring of manatees. Moneys distributed through the~~
400 ~~contractual agreement to each facility for manatee~~
401 ~~rehabilitation must be proportionate to the number of manatees~~
402 ~~under acute care rehabilitation; the number of maintenance days~~
403 ~~medically necessary in the facility; and the number released~~

023159

Amendment No. (for drafter's use only)

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

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

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

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

412 Section 8. Subsection (1) of section 375.075, Florida
413 Statutes, is amended to read:

414 375.075 Outdoor recreation; financial assistance to local
415 governments.--

416 (1) The Department of Environmental Protection is
417 authorized to establish the Florida Recreation Development
418 Assistance Program to provide grants to qualified local
419 governmental entities to acquire or develop land for public
420 outdoor recreation purposes. ~~To the extent not needed for debt~~
421 ~~service on bonds issued pursuant to s. 375.051, each year the~~
422 ~~department shall develop and plan a program which shall be based~~
423 ~~upon funding of not less than 5 percent of the money credited to~~
424 ~~the Land Acquisition Trust Fund pursuant to s. 201.15(2) and (3)~~
425 ~~in that year. Beginning fiscal year 2001-2002, The department~~
426 shall develop and plan a program which shall be based upon the
427 cumulative total funding provided from this section and from the
428 Florida Forever Trust Fund pursuant to s. 259.105(3)(c).

429 Section 9. Subsections (5) and (6) of section 420.5092,
430 Florida Statutes, are amended to read:

431 420.5092 Florida Affordable Housing Guarantee Program.--

Amendment No. (for drafter's use only)

432 (5) Pursuant to s. 16, Art. VII of the State Constitution,
433 the corporation may issue, in accordance with s. 420.509,
434 revenue bonds of the corporation to establish the guarantee
435 fund. Such revenue bonds shall be primarily payable from and
436 secured by annual debt service reserves, from interest earned on
437 funds on deposit in the guarantee fund, from fees, charges, and
438 reimbursements established by the corporation for the issuance
439 of affordable housing guarantees, and from any other revenue
440 sources received by the corporation and deposited by the
441 corporation into the guarantee fund for the issuance of
442 affordable housing guarantees. To the extent such primary
443 revenue sources are considered insufficient by the corporation,
444 pursuant to the certification provided in subsection (6), to
445 fully fund the annual debt service reserve, the certified
446 deficiency in such reserve shall be additionally payable from
447 the distributions of documentary stamp tax proceeds pursuant to
448 s. 201.15(3) first proceeds of the documentary stamp tax moneys
449 deposited into the State Housing Trust Fund pursuant to s.
450 201.15(9)(a) and (10)(a) during the ensuing state fiscal year.

451 (6)(a) If the primary revenue sources to be used for
452 repayment of revenue bonds used to establish the guarantee fund
453 are insufficient for such repayment, the annual principal and
454 interest due on each series of revenue bonds shall be payable
455 from funds in the annual debt service reserve. The corporation
456 shall, before June 1 of each year, perform a financial audit to
457 determine whether at the end of the state fiscal year there will
458 be on deposit in the guarantee fund an annual debt service
459 reserve from interest earned pursuant to the investment of the
460 guarantee fund, fees, charges, and reimbursements received from

023159

Amendment No. (for drafter's use only)

461 issued affordable housing guarantees and other revenue sources
462 available to the corporation. Based upon the findings in such
463 guarantee fund financial audit, the corporation shall certify to
464 the Chief Financial Officer ~~Comptroller~~ the amount of any
465 projected deficiency in the annual debt service reserve for any
466 series of outstanding bonds as of the end of the state fiscal
467 year and the amount necessary to maintain such annual debt
468 service reserve. Upon receipt of such certification, the Chief
469 Financial Officer ~~Comptroller~~ shall transfer to the annual debt
470 service reserve, from the distributions of documentary stamp tax
471 proceeds pursuant to s. 201.15(3) first available taxes
472 ~~distributed to the State Housing Trust Fund pursuant to s.~~
473 ~~201.15(9)(a) and (10)(a)~~ during the ensuing state fiscal year,
474 the amount certified as necessary to maintain the annual debt
475 service reserve.

476 (b) If the claims payment obligations under affordable
477 housing guarantees from amounts on deposit in the guarantee fund
478 would cause the claims paying rating assigned to the guarantee
479 fund to be less than the third-highest rating classification of
480 any nationally recognized rating service, which classifications
481 being consistent with s. 215.84(3) and rules adopted thereto by
482 the State Board of Administration, the corporation shall certify
483 to the Chief Financial Officer ~~Comptroller~~ the amount of such
484 claims payment obligations. Upon receipt of such certification,
485 the Chief Financial Officer ~~Comptroller~~ shall transfer to the
486 guarantee fund, from the distributions of documentary stamp tax
487 proceeds pursuant to s. 201.15(3) first available taxes
488 ~~distributed to the State Housing Trust Fund pursuant to s.~~
489 ~~201.15(9)(a) and (10)(a)~~ during the ensuing state fiscal year,

023159

Amendment No. (for drafter's use only)

490 the amount certified as necessary to meet such obligations, such
491 transfer to be subordinate to any transfer referenced in
492 paragraph (a) and not to exceed 50 percent of the maximum
493 possible distributions of documentary stamp tax proceeds
494 pursuant to s. 201.15(3) amounts distributed to the State
495 Housing Trust Fund pursuant to s. 201.15(9)(a) and (10)(a)
496 during the preceding state fiscal year.

497 Section 10. Section 420.9073, Florida Statutes, is amended
498 to read:

499 420.9073 Local housing distributions.--

500 ~~(1) Distributions from the Local Government Housing Trust~~
501 ~~Fund calculated in this section shall be disbursed on a monthly~~
502 ~~basis by the corporation beginning the first day of the month~~
503 ~~after program approval pursuant to s. 420.9072. Each county's~~
504 ~~share of the funds to be distributed from the portion of the~~
505 ~~funds in the Local Government Housing Trust fund received~~
506 ~~pursuant to s. 201.15(9) shall be calculated by the corporation~~
507 ~~for each fiscal year as provided in the General Appropriations~~
508 ~~Act. follows:~~

509 ~~(a) Each county other than a county that has implemented~~
510 ~~the provisions of chapter 83-220, Laws of Florida, as amended by~~
511 ~~chapters 84-270, 86-152, and 89-252, Laws of Florida, shall~~
512 ~~receive the guaranteed amount for each fiscal year.~~

513 ~~(b) Each county other than a county that has implemented~~
514 ~~the provisions of chapter 83-220, Laws of Florida, as amended by~~
515 ~~chapters 84-270, 86-152, and 89-252, Laws of Florida, may~~
516 ~~receive an additional share calculated as follows:~~

517 ~~1. Multiply each county's percentage of the total state~~
518 ~~population excluding the population of any county that has~~

023159

Amendment No. (for drafter's use only)

519 ~~implemented the provisions of chapter 83-220, Laws of Florida,~~
520 ~~as amended by chapters 84-270, 86-152, and 89-252, Laws of~~
521 ~~Florida, by the total funds to be distributed.~~

522 ~~2. If the result in subparagraph 1. is less than the~~
523 ~~guaranteed amount as determined in subsection (3), that county's~~
524 ~~additional share shall be zero.~~

525 ~~3. For each county in which the result in subparagraph 1.~~
526 ~~is greater than the guaranteed amount as determined in~~
527 ~~subsection (3), the amount calculated in subparagraph 1. shall~~
528 ~~be reduced by the guaranteed amount. The result for each such~~
529 ~~county shall be expressed as a percentage of the amounts so~~
530 ~~determined for all counties. Each such county shall receive an~~
531 ~~additional share equal to such percentage multiplied by the~~
532 ~~total funds received by the Local Government Housing Trust Fund~~
533 ~~pursuant to s. 201.15(9) reduced by the guaranteed amount paid~~
534 ~~to all counties.~~

535 ~~(2) Effective July 1, 1995, distributions calculated in~~
536 ~~this section shall be disbursed on a monthly basis by the~~
537 ~~corporation beginning the first day of the month after program~~
538 ~~approval pursuant to s. 420.9072. Each county's share of the~~
539 ~~funds to be distributed from the portion of the funds in the~~
540 ~~Local Government Housing Trust Fund received pursuant to s.~~
541 ~~201.15(10) shall be calculated by the corporation for each~~
542 ~~fiscal year as follows:~~

543 ~~(a) Each county shall receive the guaranteed amount for~~
544 ~~each fiscal year.~~

545 ~~(b) Each county may receive an additional share calculated~~
546 ~~as follows:~~

Amendment No. (for drafter's use only)

547 ~~1. Multiply each county's percentage of the total state~~
548 ~~population, by the total funds to be distributed.~~

549 ~~2. If the result in subparagraph 1. is less than the~~
550 ~~guaranteed amount as determined in subsection (3), that county's~~
551 ~~additional share shall be zero.~~

552 ~~3. For each county in which the result in subparagraph 1.~~
553 ~~is greater than the guaranteed amount, the amount calculated in~~
554 ~~subparagraph 1. shall be reduced by the guaranteed amount. The~~
555 ~~result for each such county shall be expressed as a percentage~~
556 ~~of the amounts so determined for all counties. Each such county~~
557 ~~shall receive an additional share equal to this percentage~~
558 ~~multiplied by the total funds received by the Local Government~~
559 ~~Housing Trust Fund pursuant to s. 201.15(10) as reduced by the~~
560 ~~guaranteed amount paid to all counties.~~

561 ~~(3) Calculation of guaranteed amounts:~~

562 ~~(a) The guaranteed amount under subsection (1) shall be~~
563 ~~calculated for each state fiscal year by multiplying \$350,000 by~~
564 ~~a fraction, the numerator of which is the amount of funds~~
565 ~~distributed to the Local Government Housing Trust Fund pursuant~~
566 ~~to s. 201.15(9) and the denominator of which is the total amount~~
567 ~~of funds distributed to the Local Government Housing Trust Fund~~
568 ~~pursuant to s. 201.15.~~

569 ~~(b) The guaranteed amount under subsection (2) shall be~~
570 ~~calculated for each state fiscal year by multiplying \$350,000 by~~
571 ~~a fraction, the numerator of which is the amount of funds~~
572 ~~distributed to the Local Government Housing Trust Fund pursuant~~
573 ~~to s. 201.15(10) and the denominator of which is the total~~
574 ~~amount of funds distributed to the Local Government Housing~~
575 ~~Trust Fund pursuant to s. 201.15.~~

023159

Amendment No. (for drafter's use only)

576 ~~(4)~~ Funds distributed pursuant to this section may not be
577 pledged to pay debt service on any bonds.

578 Section 11. Section 420.9078, Florida Statutes, is amended
579 to read:

580 420.9078 State administration of remaining local housing
581 distribution funds.--When appropriated funds remain in the Local
582 Government Housing Trust Fund, the corporation shall distribute
583 the remaining funds as follows:

584 (1) The corporation shall distribute all remaining funds
585 proportionately ~~as provided in s. 420.9073(2)(b)~~ among counties
586 and eligible municipalities for which an emergency or natural
587 disaster has been declared by executive order and which have an
588 approved local housing assistance plan to implement a local
589 housing assistance strategy, consistent with ss. 420.907-
590 420.9079, for repairing and replacing housing damaged as a
591 result of the emergency or natural disaster.

592 (2) If subsection (1) does not apply, the corporation
593 shall distribute the remaining funds proportionately ~~as provided~~
594 ~~in ss. 420.9072 and 420.9073(2)(b)~~ among all counties and
595 eligible municipalities that have fully expended their local
596 housing distributions for the immediately preceding state fiscal
597 year on eligible activities and have an approved local housing
598 assistance plan. A county or eligible municipality that receives
599 local housing distributions pursuant to this subsection shall
600 expend those funds in accordance with the provisions of ss.
601 420.907-420.9079, corporation rule, and its local housing
602 assistance plan.

603 Section 12. Subsection (1) of section 420.9079, Florida
604 Statutes, is amended to read:

023159

Amendment No. (for drafter's use only)

605 420.9079 Local Government Housing Trust Fund.--

606 (1) There is created in the State Treasury the Local
607 Government Housing Trust Fund, which shall be administered by
608 the corporation on behalf of the department according to the
609 provisions of ss. 420.907-420.9078 and this section. There shall
610 be deposited into the fund ~~a portion of the documentary stamp~~
611 ~~tax revenues as provided in s. 201.15,~~ moneys received from any
612 other source for the purposes of ss. 420.907-420.9078 and this
613 section, and all proceeds derived from the investment of such
614 moneys. Moneys in the fund that are not currently needed for the
615 purposes of the programs administered pursuant to ss. 420.907-
616 420.9078 and this section shall be deposited to the credit of
617 the fund and may be invested as provided by law. The interest
618 received on any such investment shall be credited to the fund.

619 Section 13. For fiscal year 2003-2004, funds are
620 transferred from the General Revenue Fund to the following trust
621 funds in the amounts specified:

622 (1) Department of Environmental Protection:

623 (a) Conservation and Recreation Lands Trust Fund,
624 \$54,300,000.

625 (b) Land Acquisition Trust Fund, \$96,531,000.

626 (c) Water Management Lands Trust Fund, \$48,400,000.

627 (d) Ecosystem Management and Restoration Trust Fund,
628 \$22,500,000.

629 (e) Invasive Plant Control Trust Fund, \$21,500,000.

630 (f) Water Quality Assurance Trust Fund, \$3,000,000.

631 (2) Fish and Wildlife Conservation Commission, State Game
632 Trust Fund, \$2,000,000.

023159

Amendment No. (for drafter's use only)

633 (3) Department of Revenue, Administrative Trust Fund,
634 \$7,900,000.

635 Section 14. This act shall take effect July 1, 2003.

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637

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

639 Remove the entire title, and insert:

640 A bill to be entitled

641 An act relating to the excise tax on documents; amending
642 s. 201.15, F.S.; eliminating distributions to various
643 trust funds of proceeds of the excise tax on documents;
644 redirecting the tax proceeds to the General Revenue Fund;
645 amending s. 161.091, F.S., relating to a use of the
646 Ecosystem Management and Restoration Trust Fund, to
647 conform; repealing s. 161.05301, F.S., relating to beach
648 erosion control project staffing and an appropriation to
649 the Ecosystem Management and Restoration Trust Fund, to
650 conform; amending s. 201.0205, F.S., relating to
651 eligibility to participate in programs funded from the
652 documentary stamp tax, to conform; amending s. 259.032,
653 F.S., relating to sources of funding for the Conservation
654 and Recreation Lands Trust Fund, to conform; amending s.
655 369.252, F.S., relating to a use of the Invasive Plant
656 Control Trust Fund, to conform; amending s. 370.0603,
657 F.S., relating to uses of the Marine Resources
658 Conservation Trust Fund, to conform; amending s. 375.075,
659 F.S., relating to a use of the Land Acquisition Trust
660 Fund, to conform; amending s. 420.5092, F.S.; revising the
661 use of tax proceeds to support the Florida Affordable

Amendment No. (for drafter's use only)

662 Housing Guarantee Program; amending ss. 420.9073,
663 420.9078, and 420.9079, F.S., relating to funding of and
664 distributions from the Local Government Housing Trust
665 Fund, to conform; providing for the transfer of moneys in
666 the General Revenue Fund to specified trust funds for
667 fiscal year 2003-2004; providing an effective date.
668