

Bill No. CS for CS for SB 444

Barcode 352872

CHAMBER ACTION

Senate

House

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The Committee on Ways and Means (Pruitt) recommended the following amendment:

Senate Amendment (with title amendment)

On page 81, line 5 through page 83 line 23, delete those lines

and insert:

Section 19. Section 403.890, Florida Statutes, is created to read:

(1) Effective July 1, 2006, revenues transferred from the Department of Revenue pursuant to s. 201.15(1)(d)2., shall be deposited into the Water Protection and Sustainability Program Trust Fund in the Department of Environmental Protection. These revenues and any other additional revenues deposited into or appropriated to the Water Protection and Sustainability Trust Fund shall be distributed by the Department of Environmental Protection in the following manner::

(a) Sixty percent to the Department of Environmental Protection for the implementation of an alternative water

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1 supply program as provided in s. 373.1961.

2 (b) Twenty percent for the implementation of best

3 management practices and capital project expenditures

4 necessary for the implementation of the goals of the total

5 maximum daily loads program established in s. 403.067. Of

6 these funds, 85 percent shall be transferred to the credit of

7 the Department of Environmental Protection Water Quality

8 Assurance Trust Fund to address water quality impacts

9 associated with nonagricultural nonpoint sources. Fifteen

10 percent of these funds shall be transferred to the Department

11 of Agriculture and Consumer Services General Inspection Trust

12 Fund to address water quality impacts associated with

13 agricultural nonpoint sources. These funds shall be used for

14 research, development, demonstration, and implementation of

15 suitable best management practices or other measures used to

16 achieve water quality standards in surface waters and water

17 segments identified pursuant to s. 303(d) of the Clean Water

18 Act, Pub. L. No. 92-500, 33 U.S.C. ss. 1251 et seq.

19 Implementation of best management practices and other measures

20 may include cost-share grants, technical assistance,

21 implementation tracking, and conservation leases or other

22 agreements for water quality improvement. The Department of

23 Environmental Protection and the Department of Agriculture and

24 Consumer Services may adopt rules governing the distribution

25 of funds for implementation of best management practices.

26 These funds shall not be used to abrogate the financial

27 responsibility of those point and nonpoint sources that have

28 contributed to the degradation of water or land areas.

29 Increased priority shall be given by the department and the

30 water management district governing boards to those projects

31 that have secured a cost-sharing agreement allocating

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1 responsibility for the cleanup of point and nonpoint sources.

2 (c) Ten percent shall be disbursed for the purposes of
3 funding projects pursuant to ss. 373.451-373.459 or surface
4 water restoration activities in
5 water-management-district-designated priority water bodies.

6 The Secretary of Environmental Protection shall ensure that
7 each water management district receives the following
8 percentage of funds annually:

9 1. Thirty-five percent to the South Florida Water
10 Management District;

11 2. Twenty-five percent to the Southwest Florida Water
12 Management District;

13 3. Twenty-five percent to the St. Johns River Water
14 Management District;

15 4. Seven and one-half percent to the Suwannee River
16 Water Management District; and

17 5. Seven and one-half percent to the Northwest Florida
18 Water Management District.

19 (d) Ten percent to the Department of Environmental
20 Protection for the Disadvantaged Small Community Wastewater
21 Grant Program as provided in s. 403.1838.

22 (e) Beginning June 30, 2007, and every 24 months
23 thereafter the Department of Environmental Protection shall
24 request the return of all unencumbered funds distributed
25 pursuant to this section. These funds shall be deposited into
26 the Water Protection and Sustainability Program Trust Fund and
27 redistributed pursuant to the provisions of this section.

28 (2) For fiscal year 2005-2006 funds deposited or
29 appropriated into the Water Protection and Sustainability
30 Trust fund shall be distributed as follows:

31 1. \$100 million to the Department of Environmental

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1 Protection for the implementation of an alternative water
2 supply program as provided in s. 373.1961.

3 2. Funds remaining after the distribution provided for
4 in subsection (1) shall be distributed as follows:

5 (a) Fifty percent for the implementation of best
6 management practices and capital project expenditures
7 necessary for the implementation of the goals of the total
8 maximum daily loads program established in s. 403.067. Of
9 these funds, 85 percent shall be transferred to the credit of
10 the Department of Environmental Protection Water Quality
11 Assurance Trust Fund to address water quality impacts
12 associated with nonagricultural nonpoint sources. Fifteen
13 percent of these funds shall be transferred to the Department
14 of Agriculture and Consumer Services General Inspection Trust
15 Fund to address water quality impacts associated with
16 agricultural nonpoint sources. These funds shall be used for
17 research, development, demonstration, and implementation of
18 suitable best management practices or other measures used to
19 achieve water quality standards in surface waters and water
20 segments identified pursuant to s. 303(d) of the Clean Water
21 Act, Pub. L. No. 92-500, 33 U.S.C. ss. 1251 et seq.
22 Implementation of best management practices and other measures
23 may include cost-share grants, technical assistance,
24 implementation tracking, and conservation leases or other
25 agreements for water quality improvement. The Department of
26 Environmental Protection and the Department of Agriculture and
27 Consumer Services may adopt rules governing the distribution
28 of funds for implementation of best management practices.
29 These funds shall not be used to abrogate the financial
30 responsibility of those point and nonpoint sources that have
31 contributed to the degradation of water or land areas.

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1 Increased priority shall be given by the department and the
2 water management district governing boards to those projects
3 that have secured a cost-sharing agreement allocating
4 responsibility for the cleanup of point and nonpoint sources.

5 (b) Twenty-five percent for the purposes of funding
6 projects pursuant to ss. 373.451-373.459 or surface water
7 restoration activities in water-management-district-designated
8 priority water bodies. The Secretary of Environmental
9 Protection shall ensure that each water management district
10 receives the following percentage of funds annually:

11 1. Thirty-five percent to the South Florida Water
12 Management District;

13 2. Twenty-five percent to the Southwest Florida Water
14 Management District;

15 3. Twenty-five percent to the St. Johns River Water
16 Management District;

17 4. Seven and one-half percent to the Suwannee River
18 Water Management District; and

19 5. Seven and one-half percent to the Northwest Florida
20 Water Management District.

21 (c) Twenty-five percent to the Department of
22 Environmental Protection for the Disadvantaged Small Community
23 Wastewater Grant Program as provided in s. 403.1838.

24
25 Prior to the end of the 2008 Regular Session, the Legislature
26 must review the distribution of funds under the Water
27 Protection and Sustainability Program to determine if
28 revisions to the funding formula are required. At the
29 discretion of the President of the Senate and the Speaker of
30 the House of Representatives, the appropriate substantive
31 committees of the Legislature may conduct an interim project

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1 to review the Water Protection and Sustainability Program and
 2 the funding formula and make written recommendations to the
 3 Legislature proposing necessary changes, if any.

4 Section 20. Except as otherwise provided the act shall
 5 take effect upon becoming law.

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

9 And the title is amended as follows:

10 On page 8, line 25 through page 9, line 10, delete
 11 those lines

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13 and insert:

14 formula for the distribution of revenues;
 15 providing for legislative review; providing
 16 effective dates.

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