

House Bill No. 1365

An act re-creating the Aquatic Plant Control Trust Fund of the Department of Environmental Protection and renaming the trust fund; carrying forward current balances and continuing current sources and uses thereof; amending ss. 206.606, 327.28, 369.252, F.S.; conforming provisions to the change in name; providing an effective date.

WHEREAS, the Legislature wishes to extend the life of the Aquatic Plant Control Trust Fund, which is otherwise scheduled to be terminated pursuant to constitutional mandate, and

WHEREAS, the Legislature has reviewed the trust fund before its scheduled termination date and has found that it continues to meet an important public purpose, and

WHEREAS, the Legislature finds that the existing public policy concerning the trust fund sets adequate parameters for its use, NOW, THEREFORE,

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

Section 1. (1) The Aquatic Plant Control Trust Fund within the Department of Environmental Protection, FLAIR number 37-2-030 which is to be terminated pursuant to Section 19(f), Article III of the State Constitution on November 4, 2000, is re-created and renamed the "Invasive Plant Control Trust Fund."

(2) All current balances of the trust fund are carried forward and all current sources and uses of the trust fund are continued.

Section 2. Paragraph (a) of subsection (1) of section 206.606, Florida Statutes, 1998 Supplement, is amended to read:

206.606 Distribution of certain proceeds.—

(1) Moneys collected pursuant to ss. 206.41(1)(g) and 206.87(1)(e) shall be deposited in the Fuel Tax Collection Trust Fund. Such moneys, after deducting the service charges imposed by s. 215.20, the refunds granted pursuant to s. 206.41, and the administrative costs incurred by the department in collecting, administering, enforcing, and distributing the tax, which administrative costs may not exceed 2 percent of collections, shall be distributed monthly to the State Transportation Trust Fund, except that:

(a) \$7.55 million shall be transferred to the Department of Environmental Protection in each fiscal year. The transfers must be made in equal monthly amounts beginning on July 1 of each fiscal year. \$1.25 million of the amount transferred shall be deposited annually in the Marine Resources Conservation Trust Fund and must be used by the department to fund special projects to provide recreational channel marking, public launching

facilities, and other boating-related activities. The department shall annually determine where unmet needs exist for boating-related activities, and may fund such activities in counties where, due to the number of vessel registrations, insufficient financial resources are available to meet total water resource needs. The remaining proceeds of the annual transfer shall be deposited in the Invasive Aquatic Plant Control Trust Fund and must be used for aquatic plant management, including nonchemical control of aquatic weeds, research into nonchemical controls, and enforcement activities. Beginning in fiscal year 1993-1994, the department shall allocate at least \$1 million of such funds to the eradication of melaleuca.

Section 3. Paragraphs (c) and (e) of subsection (1) of section 327.28, Florida Statutes, are amended to read:

327.28 Marine Resources Conservation Trust Fund; vessel registration funds; appropriation and distribution.—

(1) Except as otherwise specified and less any administrative costs, all funds collected from the registration of vessels through the Department of Highway Safety and Motor Vehicles and the tax collectors of the state shall be deposited in the Marine Resources Conservation Trust Fund for recreational channel marking; public launching facilities; law enforcement and quality control programs; aquatic weed control; manatee protection, recovery, rescue, rehabilitation, and release; and marine mammal protection and recovery. The funds collected pursuant to s. 327.25(1) shall be transferred as follows:

(c) Two dollars from each noncommercial vessel registration fee, except that for class A-1 vessels, shall be transferred to the Invasive Aquatic Plant Control Trust Fund for aquatic weed research and control.

(e) Forty percent of the registration fees from commercial vessels shall be transferred to the Invasive Aquatic Plant Control Trust Fund for aquatic plant research and control.

Section 4. Section 369.252, Florida Statutes, is amended to read:

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

(1) Achieve eradication or maintenance control of invasive exotic plants on public lands when the scientific data indicate that they are detrimental to the state's natural environment or when the Commissioner of Agriculture finds that such plants or specific populations thereof are a threat to the agricultural productivity of the state;

(2) Assist state and local government agencies in the development and implementation of coordinated management plans for the eradication or maintenance control of invasive exotic plant species on public lands;

(3) Contract, or enter into agreements, with entities in the State University System or other governmental or private sector entities for research concerning control agents; production and growth of biological control

agents; and development of workable methods for the eradication or maintenance control of invasive exotic plants on public lands; and

(4) Use funds in the Invasive Aquatic Plant Control Trust Fund as authorized by the Legislature for carrying out activities under this section on public lands.

Section 5. This act shall take effect November 4, 2000.

Approved by the Governor June 8, 1999.

Filed in Office Secretary of State June 8, 1999.