

## Committee Substitute for Senate Bill No. 1882

An act relating to the distribution of excise taxes; amending s. 201.15, F.S.; revising provisions relating to the distribution of the excise tax on documents; authorizing the Department of Revenue to retain amounts necessary to pay certain costs; revising the amount of monies distributed to certain trust funds for certain purposes; amending s. 215.211, F.S.; revising provisions relating to the elimination or reduction of the service charge on the local option fuel tax and the amount of deposited in the State Transportation Trust Fund; amending s. 1013.63, F.S.; revising provisions for funding the University Concurrency Trust Fund within the Department of Education; amending ss. 161.05301, 161.091, 339.2818, 339.2819, 339.55, 339.61, 341.051, 370.0603, 370.07, 403.890, 403.891, and 403.8911, F.S.; conforming cross-references; providing an effective date.

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

Section 1. Subsection (1) of section 161.05301, Florida Statutes, is amended to read:

161.05301 Beach erosion control project staffing.—

(1) There are hereby appropriated to the Department of Environmental Protection six positions and \$449,918 for fiscal year 1998-1999 from the Ecosystem Management and Restoration Trust Fund from revenues provided by this act pursuant to s. 201.15 ~~201.15(11)~~. These positions and funding are provided to assist local project sponsors, and shall be used to facilitate and promote enhanced beach erosion control project administration. Such staffing resources shall be directed toward more efficient contract development and oversight, promoting cost-sharing strategies and regional coordination or projects among local governments, providing assistance to local governments to ensure timely permit review, and improving billing review and disbursement processes.

Section 2. Subsection (3) of section 161.091, Florida Statutes, is amended to read:

161.091 Beach management; funding; repair and maintenance strategy.—

(3) In accordance with the intent expressed in s. 161.088 and the legislative finding that erosion of the beaches of this state is detrimental to tourism, the state's major industry, further exposes the state's highly developed coastline to severe storm damage, and threatens beach-related jobs, which, if not stopped, ~~may~~ could significantly reduce state sales tax revenues, funds deposited into the State Treasury to the credit of the Ecosystem Management and Restoration Trust Fund, in the annual amounts provided in s. 201.15 ~~201.15(11)~~, shall be used, for a period of not less than 15 years, to fund the development, implementation, and administration of the state's

beach management plan, as provided in ss. 161.091-161.212, prior to the use of such funds deposited pursuant to s. 201.15 ~~201.15(11)~~ in that trust fund for any other purpose.

Section 3. Section 201.15, Florida Statutes, as amended by section 43 of chapter 2007-73 and section 1 of chapter 2007-335, Laws of Florida, is amended to read:

201.15 Distribution of taxes collected.—All taxes collected under this chapter ~~are shall be distributed as follows and shall be~~ subject to the service charge imposed in s. 215.20(1). Prior to distribution under this section, the Department of Revenue shall deduct amounts necessary to pay the costs of the collection and enforcement of the tax levied by this chapter., except that ~~Such costs and the service charge may shall not be levied against any portion of taxes pledged to debt service on bonds to the extent that the costs and amount of the service charge are~~ is required to pay any amounts relating to the bonds. All taxes remaining after deduction of costs and the service charge shall be distributed as follows:

(1) ~~Sixty-three and thirty-one~~ Sixty-two and sixty-three hundredths percent of the remaining taxes collected under this chapter shall be used for the following purposes:

(a) ~~Amounts as shall be necessary to pay the debt service on, or fund debt service reserve funds, rebate obligations, or other amounts payable with respect to Preservation 2000 bonds issued pursuant to s. 375.051 and Florida Forever bonds issued pursuant to s. 215.618, shall be paid into the State Treasury to the credit of the Land Acquisition Trust Fund to be used for such purposes. The amount transferred to the Land Acquisition Trust Fund may shall not exceed \$300 million in fiscal year 1999-2000 and thereafter for Preservation 2000 bonds and bonds issued to refund Preservation 2000 bonds, and \$300 million in fiscal year 2000-2001 and thereafter for Florida Forever bonds. The annual amount transferred to the Land Acquisition Trust Fund for Florida Forever bonds may shall not exceed \$30 million in the first fiscal year in which bonds are issued. The limitation on the amount transferred shall be increased by an additional \$30 million in each subsequent fiscal year, but may shall not exceed a total of \$300 million in any fiscal year for all bonds issued. It is the intent of the Legislature that all bonds issued to fund the Florida Forever Act be retired by December 31, 2030. Except for bonds issued to refund previously issued bonds, no series of bonds may be issued pursuant to this paragraph unless such bonds are approved and the debt service for the remainder of the fiscal year in which the bonds are issued is specifically appropriated in the General Appropriations Act. For purposes of refunding Preservation 2000 bonds, amounts designated within this section for Preservation 2000 and Florida Forever bonds may be transferred between the two programs to the extent provided for in the documents authorizing the issuance of the bonds. The Preservation 2000 bonds and Florida Forever bonds shall be equally and ratably secured by moneys distributable to the Land Acquisition Trust Fund pursuant to this section, except to the extent specifically provided otherwise by the documents authorizing the issuance of the bonds. No moneys transferred to the Land Acquisition Trust Fund pursuant to this paragraph, or earnings~~

thereon, shall be used or made available to pay debt service on the Save Our Coast revenue bonds.

(b) Moneys shall be paid into the State Treasury to the credit of the Save Our Everglades Trust Fund in amounts necessary to pay debt service, provide reserves, and pay rebate obligations and other amounts due with respect to bonds issued under s. 215.619. Taxes distributed under paragraph (a) and this paragraph must be collectively distributed on a pro rata basis when the available moneys under this subsection are not sufficient to cover the amounts required under paragraph (a) and this paragraph.

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

~~(c)(d)~~ The remainder of the moneys distributed under this subsection, after the required payments under paragraphs (a) and, (b), ~~and (c)~~, shall be paid into the State Treasury to the credit of:

1. The State Transportation Trust Fund in the Department of Transportation in the amount of the lesser of 38.2 percent of the remainder or \$541.75 million in each fiscal year, to be paid in quarterly installments and used for the following specified purposes, notwithstanding any other law to the contrary:

a. For the purposes of capital funding for the New Starts Transit Program, authorized by Title 49, U.S.C. s. 5309 and specified in s. 341.051, 10 percent of these funds;

b. For the purposes of the Small County Outreach Program specified in s. 339.2818, 5 percent of these funds;

c. For the purposes of the Strategic Intermodal System specified in ss. 339.61, 339.62, 339.63, and 339.64, 75 percent of these funds after allocating for the New Starts Transit Program described in sub-subparagraph a. and the Small County Outreach Program described in sub-subparagraph b.; and

d. For the purposes of the Transportation Regional Incentive Program specified in s. 339.2819, 25 percent of these funds after allocating for the New Starts Transit Program described in sub-subparagraph a. and the Small County Outreach Program described in sub-subparagraph b.

2. ~~For the 2007-2008 fiscal year and each fiscal year thereafter, The Water Protection and Sustainability Program Trust Fund in the Department of Environmental Protection in the amount of the lesser of 5.64 percent of the remainder or \$80 million in each fiscal year, to be paid in quarterly installments and used as required by s. 403.890.~~

3. ~~The Grants and Donations Trust Fund in the Department of Community Affairs in the amount of the lesser of .23 percent of the remainder or \$3.25 million in each fiscal year to be paid in monthly installments, with 92 percent \$3 million to be used to fund technical assistance to local governments and school boards on the requirements and implementation of this act and \$250,000 the remaining amount to be used to fund the Century Commission established in s. 163.3247.~~

4. ~~The Ecosystem Management and Restoration Trust Fund in the amount of the lesser of 2.12 percent of the remainder or \$30 million in each fiscal year, to be used for the preservation and repair of the state's beaches as provided in ss. 161.091-161.212.~~

5. ~~The Marine Resources Conservation Trust Fund in the amount of the lesser of .14 percent of the remainder or \$2 million in each fiscal year, to be used for marine mammal care as provided in s. 370.0603(3).~~

6. ~~General Inspection Trust Fund in the amount of the lesser of .02 percent of the remainder or \$300,000 in each fiscal year to be used to fund oyster management and restoration programs as provided in s. 370.07(3).~~

Moneys distributed pursuant to this paragraph may not be pledged for debt service unless such pledge is approved by referendum of the voters.

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

~~(2) The lesser of 7.56 seven and fifty six hundredths percent of the remaining taxes collected under this chapter or \$84.9 million in each fiscal year shall be used for the following purposes:~~

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

(b) ~~The remainder of the moneys distributed under this subsection shall be paid into the State Treasury to the credit of the Land Acquisition Trust Fund. Sums deposited in the fund pursuant to this subsection may be used for any purpose for which funds deposited in the Land Acquisition Trust Fund may lawfully be used.~~

(3) The lesser of 1.94 ~~one and ninety-four hundredths~~ percent of the remaining taxes collected under this chapter or \$26 million in each fiscal year shall be paid into the State Treasury to the credit of the Land Acquisition Trust Fund. Moneys deposited in the trust fund pursuant to this section shall be used to acquire coastal lands or to pay debt service on bonds issued to acquire coastal lands and to develop and manage lands acquired with moneys from the Land Acquisition Trust Fund.

(4) The lesser of 4.2 ~~four and two-tenths~~ percent of the remaining taxes collected under this chapter or \$60.5 million in each fiscal year shall be paid into the State Treasury to the credit of the Water Management Lands Trust Fund. Sums deposited in that fund may be used for any purpose authorized in s. 373.59.

(5)(a) For the 2007-2008 fiscal year, 3.96 percent of the remaining taxes collected under this chapter shall be paid into the State Treasury to the credit of the Conservation and Recreation Lands Trust Fund to carry out the purposes set forth in s. 259.032. Ten and five-hundredths percent of the amount credited to the Conservation and Recreation Lands Trust Fund pursuant to this subsection shall be transferred to the State Game Trust Fund and used for land management activities.

(b) Beginning July 1, 2008, 3.52 percent of the remaining taxes collected under this chapter shall be paid into the State Treasury to the credit of the Conservation and Recreation Lands Trust Fund to carry out the purposes set forth in s. 259.032. Eleven and fifteen hundredths percent of the amount credited to the Conservation and Recreation Lands Trust Fund pursuant to this subsection shall be transferred to the State Game Trust Fund and used for land management activities.

(6) The lesser of 2.28 ~~two and twenty-eight hundredths~~ percent of the remaining taxes collected under this chapter or \$34.1 million in each fiscal year shall be paid into the State Treasury to the credit of the Invasive Plant Control Trust Fund to carry out the purposes set forth in ss. 369.22 and 369.252.

(7) The lesser of .5 ~~one-half of one~~ percent of the remaining taxes collected under this chapter or \$9.3 million in each fiscal year shall be paid into the State Treasury to the credit of the State Game Trust Fund to be used exclusively for the purpose of implementing the Lake Restoration 2020 Program.

(8) One-half of one percent of the remaining taxes collected under this chapter shall be paid into the State Treasury and divided equally to the credit of the Department of Environmental Protection Water Quality Assurance Trust Fund to address water quality impacts associated with nonagricultural nonpoint sources and to the credit of the Department of Agriculture

and Consumer Services General Inspection Trust Fund to address water quality impacts associated with agricultural nonpoint sources, respectively. These funds shall be used for research, development, demonstration, and implementation of suitable best management practices or other measures used to achieve water quality standards in surface waters and water segments identified pursuant to ss. 303(d) of the Clean Water Act, Pub. L. No. 92-500, 33 U.S.C. ss. 1251 et seq. Implementation of best management practices and other measures may include cost-share grants, technical assistance, implementation tracking, and conservation leases or other agreements for water quality improvement. The Department of Environmental Protection and the Department of Agriculture and Consumer Services may adopt rules governing the distribution of funds for implementation of best management practices. The unobligated balance of funds received from the distribution of taxes collected under this chapter to address water quality impacts associated with nonagricultural nonpoint sources will be excluded when calculating the unobligated balance of the Water Quality Assurance Trust Fund as it relates to the determination of the applicable excise tax rate.

(9) The lesser of 7.53 ~~seven and fifty-three hundredths~~ percent of the remaining taxes collected under this chapter or \$107 million in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund and shall be used as follows:

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

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

(10) The lesser of 8.66 ~~eight and sixty-six hundredths~~ percent of the remaining taxes collected under this chapter or \$136 million in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund and shall be used as follows:

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

(b) Eighty-seven and one-half percent of that amount shall be distributed to the Local Government Housing Trust Fund and shall be used for the purposes for which the Local Government Housing Trust Fund was created and exists by law. Funds from this category may also be used to provide for state and local services to assist the homeless.

(11) ~~From the moneys specified in paragraphs (1)(c) and (2)(a) and prior to deposit of any moneys into the General Revenue Fund, \$30 million shall be paid into the State Treasury to the credit of the Ecosystem Management and Restoration Trust Fund in fiscal year 2000-2001 and each fiscal year~~

thereafter, to be used for the preservation and repair of the state's beaches as provided in ss. 161.091-161.212, \$2 million shall be paid into the State Treasury to the credit of the Marine Resources Conservation Trust Fund to be used for marine mammal care as provided in s. 370.0603(3), and \$300,000 shall be paid into the State Treasury to the credit of the General Inspection Trust Fund in fiscal year 2006-2007 and each fiscal year thereafter, to be used to fund oyster management and restoration programs as provided in s. 370.07(3).

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

~~(11)~~<sup>(13)</sup> The distribution of proceeds deposited into the Water Management Lands Trust Fund and the Conservation and Recreation Lands Trust Fund, pursuant to subsections (4) and (5), may ~~shall~~ not be used for land acquisition but may be used for preacquisition costs associated with land purchases. The Legislature intends that the Florida Forever program supplant the acquisition programs formerly authorized under ss. 259.032 and 373.59.

~~(12)~~<sup>(14)</sup> Amounts distributed pursuant to subsections (5), (6), (7), and (8) are subject to the payment of debt service on outstanding Conservation and Recreation Lands revenue bonds.

~~(13)~~<sup>(15)</sup> Beginning July 1, 2008, in each fiscal year that the remaining taxes collected under this chapter exceed ~~such~~ collections in the prior fiscal year, the stated maximum dollar amounts provided in subsections (2), (4), (6), (7), (9), and (10) shall each be increased by an amount equal to 10 percent of the increase in the remaining taxes collected under this chapter multiplied by the applicable percentage provided in those subsections.

~~(14)~~<sup>(16)</sup> If the payment requirements in any year for bonds outstanding on July 1, 2007, or bonds issued to refund such bonds, exceed the limitations of this section, distributions to the trust fund from which the bond payments are made shall be increased to the lesser of the amount needed to pay bond obligations or the limit of the applicable percentage distribution provided in subsections (1)-(10) ~~(1)-(12)~~.

~~(15)~~<sup>(17)</sup> Distributions to the State Housing Trust Fund pursuant to subsections (9) and (10) shall be sufficient to cover amounts required to be transferred to the Florida Affordable Housing Guarantee Program's annual debt service reserve and guarantee fund pursuant to s. 420.5092(6)(a) and (b) up to but not exceeding the amount required to be transferred to such reserve and fund based on the percentage distribution of documentary stamp tax revenues to the State Housing Trust Fund which is in effect in the 2004-2005 fiscal year.

(16)(18) The remaining taxes collected under this chapter, after the distributions provided in the preceding subsections, shall be paid into the State Treasury to the credit of the General Revenue Fund.

Section 4. Section 215.211, Florida Statutes, is amended to read:

215.211 Service charge; elimination or reduction for specified proceeds.—

(1) Notwithstanding the provisions of s. 215.20(1) and (3), the service charge provided in s. 215.20(1) and (3), which is deducted from the proceeds of the taxes distributed under ss. 206.606(1), 207.026, 212.0501(6), and 319.32(5), shall be eliminated beginning July 1, 2000.

(2) Notwithstanding the provisions of s. 215.20(1) and (3), the service charge provided in s. 215.20(1) and (3), which is deducted from the proceeds of the taxes distributed under ss. 206.608 and 320.072(4), shall be eliminated beginning July 1, 2001.

(3) Notwithstanding the provisions of s. 215.20(1), the service charge provided in s. 215.20(1) ~~may not, which is deducted from the proceeds of the local option fuel tax distributed under s. 336.025, shall be reduced as follows:~~

~~(a) For the period July 1, 2005, through June 30, 2006, the rate of the service charge shall be 3.5 percent.~~

~~(b) Beginning July 1, 2006, and thereafter, no service charge shall be deducted from the proceeds of the local option fuel tax distributed under s. 336.025(1)(a).~~

~~(4) From the revenues derived from s. 336.025(1)(a), an amount equal to 7 percent of those revenues~~ The increased revenues derived from this subsection shall be deposited in the State Transportation Trust Fund and used to fund the County Incentive Grant Program and the Small County Outreach Program. Up to 20 percent of such funds shall be used for the purpose of implementing the Small County Outreach Program as provided in this act. Notwithstanding any other laws to the contrary, the requirements of ss. 339.135, 339.155, and 339.175 shall not apply to these funds and programs.

Section 5. Subsection (6) of section 339.2818, Florida Statutes, is amended to read:

339.2818 Small County Outreach Program.—

(6) Funds paid into the State Transportation Trust Fund pursuant to s. ~~201.15~~ 201.15(1)(d) for the purposes of the Small County Outreach Program are hereby annually appropriated for expenditure to support the Small County Outreach Program.

Section 6. Subsection (5) of section 339.2819, Florida Statutes, is amended to read:

339.2819 Transportation Regional Incentive Program.—



(5) Funds paid into the State Transportation Trust Fund pursuant to s. 201.15 ~~201.15(1)(d)~~ for the purposes of the Transportation Regional Incentive Program are hereby annually appropriated for expenditure to support that program.

Section 7. Subsection (10) of section 339.55, Florida Statutes, is amended to read:

339.55 State-funded infrastructure bank.—

(10) Funds paid into the State Transportation Trust Fund pursuant to s. 201.15(1)(c) ~~201.15(1)(d)~~ for the purposes of the State Infrastructure Bank are hereby annually appropriated for expenditure to support that program.

Section 8. Subsection (3) of section 339.61, Florida Statutes, is amended to read:

339.61 Florida Strategic Intermodal System; legislative findings, declaration, and intent.—

(3) Funds paid into the State Transportation Trust Fund pursuant to s. 201.15 ~~201.15(1)(d)~~ for the purposes of the Florida Strategic Intermodal System are hereby annually appropriated for expenditure to support that program.

Section 9. Subsection (6) of section 341.051, Florida Statutes, is amended to read:

341.051 Administration and financing of public transit and intercity bus service programs and projects.—

(6) ANNUAL APPROPRIATION.—Funds paid into the State Transportation Trust Fund pursuant to s. 201.15 ~~201.15(1)(d)~~ for the New Starts Transit Program are hereby annually appropriated for expenditure to support the New Starts Transit Program.

For purposes of this section, the term “net operating costs” means all operating costs of a project less any federal funds, fares, or other sources of income to the project.

Section 10. Subsection (3) of section 370.0603, Florida Statutes, is amended to read:

370.0603 Marine Resources Conservation Trust Fund; purposes.—

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

(a) To reimburse the cost of activities authorized pursuant to the Fish and Wildlife Service of the United States Department of the Interior. ~~The~~ Such facilities must be involved in the actual rescue and full-time acute care veterinarian-based rehabilitation of manatees. The cost of activities includes, but is not limited to, costs associated with expansion, capital outlay,

repair, maintenance, and operation related to the rescue, treatment, stabilization, maintenance, release, and monitoring of manatees. Moneys distributed through the contractual agreement to each facility for manatee rehabilitation must be proportionate to the number of manatees under acute care rehabilitation; the number of maintenance days medically necessary in the facility; and the number released during the previous fiscal year. The commission may set a cap on the total amount reimbursed per manatee per year.

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

(c) For program administration costs of the agency.

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

Section 11. Subsection (3) of section 370.07, Florida Statutes, is amended to read:

370.07 Wholesale and retail saltwater products dealers; regulation.—

(3) OYSTER MANAGEMENT AND RESTORATION PROGRAMS.—The Department of Agriculture and Consumer Services shall use or distribute funds paid into the State Treasury to the credit of the General Inspection Trust Fund pursuant to s. 201.15 ~~201.15(11)~~, less reasonable costs of administration, to fund the following oyster management and restoration programs in Apalachicola Bay and other oyster harvest areas in the state:

(a) The relaying and transplanting of live oysters.

(b) Shell planting to construct or rehabilitate oyster bars.

(c) Education programs for licensed oyster harvesters on oyster biology, aquaculture, boating and water safety, sanitation, resource conservation, small business management, and other relevant subjects.

(d) Research directed toward the enhancement of oyster production in the bay and the water management needs of the bay.

Section 12. Subsection (1) of section 403.890, Florida Statutes, as amended by section 2 of chapter 2007-335, Laws of Florida, is amended to read:

403.890 Water Protection and Sustainability Program; intent; goals; purposes.—

(1) Effective July 1, 2006, revenues transferred from the Department of Revenue pursuant to s. 201.15(1)(c)2. ~~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 Program 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 supply program as provided in s. 373.1961.

(b) Twenty percent for the implementation of best management practices and capital project expenditures necessary for the implementation of the goals of the total maximum daily load program established in s. 403.067. Of these funds, 85 percent shall be transferred to the credit of the Department of Environmental Protection Water Quality Assurance Trust Fund to address water quality impacts associated with nonagricultural nonpoint sources. Fifteen percent of these funds shall be transferred to the Department of Agriculture and Consumer Services General Inspection Trust Fund to address water quality impacts associated with agricultural nonpoint sources. These funds shall be used for research, development, demonstration, and implementation of the total maximum daily load program under s. 403.067, suitable best management practices or other measures used to achieve water quality standards in surface waters and water segments identified pursuant to s. 303(d) of the Clean Water Act, Pub. L. No. 92-500, 33 U.S.C. ss. 1251 et seq. Implementation of best management practices and other measures may include cost-share grants, technical assistance, implementation tracking, and conservation leases or other agreements for water quality improvement. The Department of Environmental Protection and the Department of Agriculture and Consumer Services may adopt rules governing the distribution of funds for implementation of capital projects, best management practices, and other measures. These funds shall not be used to abrogate the financial responsibility of those point and nonpoint sources that have contributed to the degradation of water or land areas. Increased priority shall be given by the department and the water management district governing boards to those projects that have secured a cost-sharing agreement allocating responsibility for the cleanup of point and nonpoint sources.

(c) Ten percent shall be disbursed for the purposes of funding projects pursuant to ss. 373.451-373.459 or surface water restoration activities in water-management-district-designated priority water bodies. The Secretary of Environmental Protection shall ensure that each water management district receives the following percentage of funds annually:

1. Thirty-five percent to the South Florida Water Management District;
2. Twenty-five percent to the Southwest Florida Water Management District;
3. Twenty-five percent to the St. Johns River Water Management District;
4. Seven and one-half percent to the Suwannee River Water Management District; and
5. Seven and one-half percent to the Northwest Florida Water Management District.

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

Section 13. Subsection (1) of section 403.891, Florida Statutes, is amended to read:

403.891 Water Protection and Sustainability Program Trust Fund of the Department of Environmental Protection.—

(1) The Water Protection and Sustainability Program Trust Fund is created within the Department of Environmental Protection. The purpose of the trust fund is to receive funds pursuant to s. ~~201.15(1)(c)2, 201.15(1)(d)2,~~ funds from other sources provided for in law and the General Appropriations Act, and funds received by the department in order to implement the provisions of the Water Sustainability and Protection Program created in s. 403.890.

Section 14. Subsection (1) of section 403.8911, Florida Statutes, is amended to read:

403.8911 Annual appropriation from the Water Protection and Sustainability Trust Fund.—

(1) Funds paid into the Water Protection and Sustainability Trust Fund pursuant to s. ~~201.15~~ ~~201.15(1)(d)~~ are hereby annually appropriated for expenditure for the purposes for which the Water Protection and Sustainability Trust Fund is established.

Section 15. Subsections (1) and (2) of section 1013.63, Florida Statutes, are amended to read:

1013.63 University Concurrency Trust Fund.—

(1) The University Concurrency Trust Fund is created within the Department of Education.

(2) ~~The trust fund may be funded each fiscal year as provided in the General Appropriations Act. Notwithstanding any other provision of law, the general revenue service charge deducted pursuant to s. 215.20 on revenues raised by any local option motor fuel tax levied pursuant to s. 336.025(1)(b), as created by chapter 93-206, Laws of Florida, shall be deposited in the University Concurrency Trust Fund, which is administered by the State Board of Education. Moneys in such trust fund shall be for the purpose of funding university offsite improvements required to meet concurrency standards adopted under part II of chapter 163. In addition, in any year in which campus master plans are updated pursuant to s. 1013.30, but no more frequently than once every 5 years, up to 25 percent of the balance in the trust fund for that year may be used to defray the costs incurred in updating those campus master plans.~~

Section 16. This act shall take effect July 1, 2008.

Approved by the Governor June 10, 2008.

Filed in Office Secretary of State June 10, 2008.