

By Senator Latvala

312-894-98

1 A bill to be entitled
2 An act relating to water management; amending
3 s. 373.59, F.S.; correcting cross-references;
4 providing an effective date.

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

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8 Section 1. Paragraph (a) of subsection (2) and
9 subsection (6) of section 373.59, Florida Statutes, are
10 amended to read:

11 373.59 Water Management Lands Trust Fund.--

12 (2)(a) By January 15 of each year, each district shall
13 file with the Legislature and the Secretary of Environmental
14 Protection a report of acquisition activity together with
15 modifications or additions to its 5-year plan of acquisition.
16 Included in the report shall be an identification of those
17 lands which require a full fee simple interest to achieve
18 water management goals and those lands which can be acquired
19 using alternatives to fee simple acquisition techniques and
20 still achieve such goals. In their evaluation of which lands
21 would be appropriate for acquisition through alternatives to
22 fee simple, district staff shall consider criteria including,
23 but not limited to, acquisition costs, the net present value
24 of future land management costs, the net present value of ad
25 valorem revenue loss to the local government, and the
26 potential for revenue generated from activities compatible
27 with acquisition objectives. The report shall also include a
28 description of land management activity. Expenditure of moneys
29 from the Water Management Lands Trust Fund shall be limited to
30 the costs for acquisition, management, maintenance, and
31 capital improvements of lands included within the 5-year plan

1 as filed by each district and to the department's costs of
2 administration of the fund. The department's costs of
3 administration shall be charged proportionally against each
4 district's allocation using the formula provided in subsection
5 (8)~~(7)~~. However, no acquisition of lands shall occur without
6 a public hearing similar to those held pursuant to the
7 provisions set forth in s. 120.54. In the annual update of its
8 5-year plan for acquisition, each district shall identify
9 lands needed to protect or recharge groundwater and shall
10 establish a plan for their acquisition as necessary to protect
11 potable water supplies. Lands which serve to protect or
12 recharge groundwater identified pursuant to this paragraph
13 shall also serve to protect other valuable natural resources
14 or provide space for natural resource based recreation.

15 (6) If a district issues revenue bonds or notes under
16 s. 373.584, the district may pledge its share of the moneys in
17 the Water Management Lands Trust Fund as security for such
18 bonds or notes. The Department of Environmental Protection
19 shall pay moneys from the trust fund to a district or its
20 designee sufficient to pay the debt service, as it becomes
21 due, on the outstanding bonds and notes of the district;
22 however, such payments shall not exceed the district's
23 cumulative portion of the trust fund. However, any moneys
24 remaining after payment of the amount due on the debt service
25 shall be released to the district pursuant to subsection(4)
26 ~~(3)~~.

27 Section 2. This act shall take effect upon becoming a
28 law.

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SENATE SUMMARY

Corrects internal cross-references in s. 373.59, F.S.,
relating to the Water Management Lands Trust Fund.