

**STORAGE NAME:** h1887.ep

**DATE:** March 28, 2000

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
ENVIRONMENTAL PROTECTION  
ANALYSIS**

**BILL #:** HB 1887

**RELATING TO:** South Florida Water Management District

**SPONSOR(S):** Rep. Argenio

**TIED BILL(S):**

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

- (1) ENVIRONMENTAL PROTECTION
  - (2) REAL PROPERTY & PROBATE
  - (3) GENERAL GOVERNMENT APPROPRIATIONS
  - (4)
  - (5)
- 

**I. SUMMARY:**

HB 1887 authorizes the South Florida Water Management District (District) to acquire Pal-Mar lands through eminent domain procedures. It further provides that in the absence of willing sellers, these lands are to be acquired in accordance with state condemnation law as contained in Chs. 73 and 74, F.S. It authorizes the use of Florida Forever funds allocated to the District for the purpose of acquiring Pal-Mar lands. It authorizes the Governor and Cabinet, as the Board of Trustees of the Internal Improvement Fund (Trustees), to acquire Pal-Mar lands with Save Our Rivers (SOR) or Conservation and Recreational Lands (CARL) funds and designates the District as the managing entity for Pal-Mar lands acquired by the Trustees.

The bill provides that the act shall take effect upon becoming law.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |                              |                             |   |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u>         | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u>             | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

The Pal-Mar, or West Jupiter Wetlands, Project was placed on the District's SOR land acquisition plan in 1991 and is also a CARL project. Since that time, the District has been pursuing acquisition of project lands. In addition to the District, Martin County, Palm Beach County, and the Fish and Wildlife Conservation Commission are also pursuing acquisition of these lands. Pal-Mar is a special district whose governing board has supported public acquisition of these lands for several years.

Pal-Mar contains approximately 35,000 acres of depression marsh and wet flatwoods, comprising the largest contiguous complex of natural communities in Martin and Palm Beach Counties. Its acquisition would create an unbroken greenbelt from Lake Okeechobee to the Atlantic Ocean, that would also include the Dupuis Reserve, the Corbett Wildlife Management Area, and Jonathan Dickinson State Park.

C. EFFECT OF PROPOSED CHANGES:

HB 1887 would authorize the District to acquire fee title or easement for Pal-Mar lands through eminent domain procedures. It further provides that in the absence of willing sellers, these lands are to be acquired in accordance with state condemnation law as contained in Chs. 73 and 74, F.S. It would also authorize the District to use its allocation of Florida Forever funds to acquire Pal-Mar lands. Finally, it authorizes the Trustees to acquire Pal-Mar Lands with SOR or CARL funds and designates the District as the managing entity for these lands.

The bill provides that the act shall take effect upon becoming law.

D. SECTION-BY-SECTION ANALYSIS:

Section 1: Amends s. 373.1501, F.S. , providing a definition; providing that certain lands may be acquired by eminent domain; providing that state condemnation law be followed.

Section 2: Amends s. 259.105, F.S., providing that certain Florida Forever funds may be used for the acquisition of lands authorized by s. 373.1501(4), F.S.

Section 3: Amends 373.026, F.S., providing a conforming cross reference.

Section 4: Provides for the use of certain funds for land acquisition, notwithstanding any provision of law to the contrary.

Section 5: Provides an effective date.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

N/A

D. FISCAL COMMENTS:

N/A

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

The bill does not require counties or municipalities to spend funds or take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

The bill does not reduce the authority that municipalities or counties have to raise revenues.

**STORAGE NAME:** h1887.ep

**DATE:** March 28, 2000

**PAGE 4**

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

The bill does not reduce the percentage of state tax shared with counties and municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

N/A

B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

N/A

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON ENVIRONMENTAL PROTECTION:

Prepared by:

Staff Director:

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W. Ray Scott

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