

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 58

SPONSOR: Senator Bronson

SUBJECT: Environmental mitigation

DATE: January 6, 2000

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>John McAuliffe</u>	<u>Meyer</u>	<u>TR</u>	<u>Favorable</u>
2.	_____	_____	<u>FP</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This bill provides the \$75,000 cost per acre the Department of Transportation pays for wetlands mitigation does not constitute an admission of the fair market value of property acquired, nor is the cost admissible as evidence of full compensation for any property acquired by the state or its subdivisions through eminent domain or inverse condemnation.

This bill substantially amends section 373.4137 of the Florida Statutes.

II. Present Situation:

The Department of Transportation submits annually to the Department of Environmental Protection and the water management districts a copy of the adopted work program and an inventory of wetlands and habitats which may be impacted by transportation projects in the next three years of the tentative work program.

Section 373.4137, F.S., requires the Department of Transportation to identify and maintain an escrow account within the State Transportation Trust Fund for environmental mitigation phase of projects budgeted by the Department of Transportation for the current fiscal year. The section also requires the Department of Transportation to transfer to the Department of Environmental Protection and the water management districts \$75,000 for each acre within the water management districts where an impact upon wetlands has been projected. The funds are used by the water management districts for use in mitigation development and implementation activities, including the acquisition of property.

III. Effect of Proposed Changes:

Section 373.4137, F.S., is amended to provide the \$75,000 cost per acre does not constitute an admission against interest by the state or its subdivisions, nor is the cost admissible as evidence of full compensation for any property acquired through eminent domain or inverse condemnation.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Indeterminate.

C. Government Sector Impact:

The Department of Transportation states that the fiscal impact of this bill will be neutral.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.