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LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/2R	.	Floor: SENAT/C
03/09/2016 04:57 PM	.	03/10/2016 05:01 PM
	.	

Senator Flores moved the following:

Senate Amendment (with title amendment)

Delete lines 199 - 305

and insert:

(a) Everglades restoration bonds, except refunding bonds, may be issued only in fiscal years 2002-2003 through 2019-2020 and may not be issued in an amount exceeding \$100 million per fiscal year unless:

1. The Department of Environmental Protection has requested additional amounts in order to achieve cost savings or accelerate the purchase of land; or



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12 2. The Legislature authorizes an additional amount of bonds
13 not to exceed \$200 million, and limited to \$50 million per
14 fiscal year, specifically for the purpose of funding the Florida
15 Keys Area of Critical State Concern protection program and the
16 City of Key West Area of Critical State Concern. Proceeds from
17 the bonds shall be managed by the Department of Environmental
18 Protection for the purpose of entering into financial assistance
19 agreements with local governments located in the Florida Keys
20 Area of Critical State Concern or the City of Key West Area of
21 Critical State Concern to finance or refinance the cost of
22 constructing sewage collection, treatment, and disposal
23 facilities or building projects that protect, restore, or
24 enhance nearshore water quality and fisheries, such as
25 stormwater or canal restoration projects and projects to protect
26 water resources available to the Florida Keys.

27 (b) The duration of Everglades restoration bonds may not
28 exceed 20 annual maturities and must mature by December 31, 2047
29 ~~2040~~. Except for refunding bonds, a series of bonds may not be
30 issued unless an amount equal to the debt service coming due in
31 the year of issuance has been appropriated by the Legislature.
32 Not more than 58.25 percent of documentary stamp taxes collected
33 may be taken into account for the purpose of satisfying an
34 additional bonds test set forth in any authorizing resolution
35 for bonds issued on or after July 1, 2015. Beginning July 1,
36 2010, the Legislature shall analyze the ratio of the state's
37 debt to projected revenues before authorizing the issuance of
38 bonds under this section.

39 (7) If the South Florida Water Management District and the
40 Department of Environmental Protection determine that lands



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41 purchased using bond proceeds within the Florida Keys Area of
42 Critical State Concern, the City of Key West Area of Critical
43 State Concern, or outside the Florida Keys Area of Critical
44 State Concern but which were purchased to preserve and protect
45 the potable water supply to the Florida Keys, are no longer
46 needed for the purpose for which they were purchased, the entity
47 owning the lands may dispose of them. However, before the lands
48 can be disposed of, each general purpose local government within
49 the boundaries of which a portion of the land lies must agree to
50 the disposal of lands within its boundaries and must be offered
51 the first right to purchase those lands.

52 Section 4. Section 259.045, Florida Statutes, is amended to
53 read:

54 259.045 Purchase of lands in areas of critical state
55 concern; recommendations by department and land authorities.—
56 Within 45 days after ~~of the designation by~~ the Administration
57 Commission designates ~~of~~ an area as an area of critical state
58 concern under s. 380.05, and annually thereafter, the Department
59 of Environmental Protection shall consider the recommendations
60 of the state land planning agency pursuant to s. 380.05(1)(a)
61 relating to purchase of lands within an area of critical state
62 concern or lands outside an area of critical state concern that
63 directly impact an area of critical state concern, which may
64 include lands used to preserve and protect water supply, ~~the~~
65 ~~proposed area~~ and shall make recommendations to the board with
66 respect to the purchase of the fee or any lesser interest in any
67 such lands that are: ~~situated in such area of critical state~~
68 ~~concern as~~

69 (1) Environmentally endangered lands; ~~or~~



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- 70 (2) Outdoor recreation lands;
71 (3) Lands that conserve sensitive habitat;
72 (4) Lands that protect, restore, or enhance nearshore water
73 quality and fisheries;
74 (5) Lands used to protect and enhance water supply to the
75 Florida Keys, including alternative water supplies such as
76 reverse osmosis and reclaimed water systems; or
77 (6) Lands used to prevent or satisfy private property
78 rights claims resulting from limitations imposed by the
79 designation of an area of critical state concern if the
80 acquisition of such lands fulfills a public purpose listed in s.
81 259.032 (2).

82
83 The department, a local government, a special district, or ~~and~~ a
84 land authority within an area of critical state concern ~~as~~
85 ~~authorized in chapter 380~~, may make recommendations with respect
86 to additional purchases which were not included in the state
87 land planning agency recommendations.

88 Section 5. Paragraph (b) of subsection (3) of section
89 259.105, Florida Statutes, is amended to read:

90 259.105 The Florida Forever Act.—

91 (3) Less the costs of issuing and the costs of funding
92 reserve accounts and other costs associated with bonds, the
93 proceeds of cash payments or bonds issued pursuant to this
94 section shall be deposited into the Florida Forever Trust Fund
95 created by s. 259.1051. The proceeds shall be distributed by the
96 Department of Environmental Protection in the following manner:

97 (b) Thirty-five percent to the Department of Environmental
98 Protection for the acquisition of lands and capital project



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99 expenditures described in this section. Of the proceeds
100 distributed pursuant to this paragraph, it is the intent of the
101 Legislature that an increased priority be given to those
102 acquisitions which achieve a combination of conservation goals,
103 including protecting Florida's water resources and natural
104 groundwater recharge. At a minimum, 3 percent, and no more than
105 10 percent, of the funds allocated pursuant to this paragraph
106 shall be spent on capital project expenditures identified during
107 the time of acquisition which meet land management planning
108 activities necessary for public access. Beginning in the 2017-
109 2018 fiscal year and continuing through the 2026-2027 fiscal
110 year, at least \$5 million of the funds allocated pursuant to
111 this paragraph shall be spent on land acquisition within the
112 Florida Keys Area of Critical State Concern as authorized
113 pursuant to s. 259.045.

114 Section 6. For the 2016-2017 fiscal year, the sum of \$5
115 million in nonrecurring funds from the General Revenue Fund is
116 appropriated to the Department of Environmental Protection to be
117 distributed in accordance with the existing interlocal agreement
118 among the Village of Islamorada, the Key Largo Wastewater
119 Treatment District, the City of Marathon, the Monroe
120 County/Florida Keys Aqueduct Authority, the City of Key West,
121 and Key Colony Beach, for the purposes of constructing sewage
122 collection, treatment, and disposal facilities; implementing
123 stormwater collection and treatment systems; canal restoration
124 and muck remediation projects; and projects that protect and
125 enhance water supply in the Florida Keys Area of Critical State
126 Concern and the City of Key West Area of Critical State Concern;
127 or, for the purposes of land acquisition within the Florida Keys



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128 Area of Critical Concern as authorized pursuant to s. 259.045,
129 Florida Statutes, with increased priority given to those
130 acquisitions that achieve a combination of conservation goals,
131 including protecting Florida's water resources and natural
132 groundwater recharge. A local government requesting disbursement
133 pursuant to this appropriation shall provide the Department of
134 Environmental Protection with such documentation as the
135 department deems necessary to verify that the costs are properly
136 incurred and work has been performed.

137

138 ===== T I T L E A M E N D M E N T =====

139 And the title is amended as follows:

140 Delete lines 16 - 34

141 and insert:

142 revising the date for the maturity of Everglades
143 restoration bonds; authorizing bond proceeds to be
144 spent on the City of Key West Area of Critical State
145 Concern; expanding projects that may be funded by bond
146 proceeds; specifying procedures to be followed for
147 certain lands that are no longer needed for certain
148 restoration purposes; amending s. 259.045, F.S.;

149 requiring the Department of Environmental Protection
150 to annually consider certain recommendations to buy
151 specific lands within and outside an area of critical
152 state concern; authorizing certain local governments
153 and special districts to recommend additional lands
154 for purchase; amending s. 259.105, F.S.; requiring
155 specific Florida Forever appropriations to be used for
156 the purchase of lands in the Florida Keys Area of



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Critical State Concern; providing an appropriation;
amending s. 380.0552, F.S.;