

CS/SB 338 — Brownfield Loan Guarantees

by Appropriations Committee and Senator Constantine

This bill moves the loan guarantee for brownfield loans from the Nonmandatory Land Reclamation Trust Fund to the Inland Protection Trust Fund. No more than \$5 million of the balance of the Inland Protection Trust Fund may be at risk in any fiscal year. The Brownfield Loan Guarantee Program must be reviewed by the Legislature by January 1, 2007, and a determination is to be made related to the need to continue or modify the provisions relating to this program. New loan guarantees may not be approved in 2007 until the review by the Legislature has been completed and a determination has been made as to the feasibility of continuing to use the Inland Protection Trust Fund to guarantee these loans.

A number of clarifying and technical amendments were made to the statutory provisions relating to the brownfields program that were needed by the Department of Environmental Protection to update the brownfield law to conform to changes made at the federal level by the U.S. Environmental Protection Agency. Those changes include:

- Clarifying the definition of “brownfield site.”
- Clarifying that the rehabilitation of a proposed brownfield site must create 10 new permanent jobs at the brownfield site and those jobs cannot be associated with construction or demolition activities.
- Clarifying and updating the provisions relating to contractor liability coverages.
- Providing liability protection to a county when a brownfield site escheats to a county.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 37-0; House 115-0

CS/SB 540 — Manatee Protection

by Natural Resources Committee and Senator Bennett

This bill conforms state law with federal law by creating an exception from penalties assessed for activities violating regulations that govern the speed and operation of motorboats to protect manatees if the activity is reasonably necessary to prevent loss of human life or a vessel in distress, or to render necessary assistance to persons or a vessel in distress.

In regions where measurable goals developed by the Fish and Wildlife Conservation Commission (FWC), working in conjunction with the United States Fish and Wildlife Service (USFWS), have been achieved, the FWC shall give existing manatee protection rules great weight when determining if additional rules are necessary. The FWC retains the authority to

amend existing rules or adopt new rules to address risks or circumstances in a particular area or waterbody to provide manatee protection. Not later than July 1, 2005, the FWC must develop rules to define how measurable biological goals will be used when evaluating the need for additional manatee protection rules.

This bill provides for an enhanced manatee protection study to be used by the FWC in the agency's mission of providing manatees with the maximum protection possible while also providing for maximum recreational use of the state's waterways. The goal of the study, designed to increase knowledge of the factors that determine the size and distribution of the state's manatee population, is the collection of data to be used in the development and implementation of sound science-based policies to improve manatee habitat, establish manatee protection zones, and maximize safe boating areas for recreational uses without endangering the manatee population.

As part of the study and subject to legislative appropriation, the FWC will contract with Mote Marine Laboratory to conduct a manatee habitat and submerged aquatic vegetation assessment that focuses on warm water discharge sites at power plants within the state and which includes the potential impacts on manatees and manatee habitat if power plants where manatees congregate are closed. Mote Marine Laboratory must submit an interim report on the assessment to the Governor, the Legislature and the FWC by September 1, 2006. The final report is due by January 1, 2007, and must include recommendations for protection of manatee habitat at the warm water discharge sites at power plants in the state.

Also as part of the enhanced manatee protection study, the FWC must conduct a signage and boat speed assessment to evaluate the effectiveness of manatee protection signs and sign placement, and to assess boat speeds. The FWC must evaluate existing data on manatee mortality before and after existing manatee protection zones were established, on boater compliance and comprehension of regulatory signs and buoys, on changes in boating traffic patterns, and on manatee distribution and behavior. The signage and boat speed assessment, which must be completed by January 1, 2007, and submitted to the Governor and the Legislature, must identify specific recommendations for developing state and local policies relating to the appropriate placement of signs, including innovative markers in compliance with the federal aids to navigation system, in manatee slow-speed zones.

This bill authorizes the FWC to develop and implement the use of genetic tagging to improve its ability to assess the status and health of the manatee population. The development and use of genetic tagging may be done in cooperation with federal agencies or other entities, such as genetic laboratories at schools within the State University System.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 32-7; House 81-34

CS/CS/CS/SB 1214 — Wekiva Parkway and Protection Act

by Appropriations Committee; Comprehensive Planning Committee; Natural Resources Committee; and Senator Constantine

This bill implements the recommendations of the Wekiva River Basin Coordinating Committee's Final Report of March 16, 2004. The bill creates ch. 369, part III, F.S., the Wekiva Parkway and Protection Act, and provides legislative intent and a legal description of the Wekiva Study Area. The majority of the land within the Study Area contributes groundwater recharge to the Wekiva River and springs.

Wekiva Parkway

The Wekiva Parkway is any limited access highway or expressway constructed between SR 429 and Interstate 4 specifically incorporating the corridor alignment recommended by Recommendation 2 of the Wekiva River Basin Area Task Force final report dated January 15, 2003, and the recommendations of the SR 429 Working Group that were adopted January 16, 2004. The Wekiva Parkway and related transportation facilities must follow the design criteria contained in the recommendations of the Wekiva River Area Task Force adopted by reference by the Wekiva River Basin Coordinating Committee, subject to reasonable environmental, economic and engineering considerations.

With the exception of the road commonly referred to as the "Apopka Bypass," the construction of any other limited-access highway identified by the SR 429 Working Group within the Study Area shall adhere to transportation and conservation principles identified within the Wekiva River Basin Coordinating Committee's Final Report.

Access to properties adjacent to SR 46 shall be maintained through appropriate neighborhood streets or frontage roads integrated into the parkway design.

In Seminole County, the Seminole County Expressway Authority, the Department of Transportation, and the Florida Turnpike Enterprise shall locate the precise corridor and interchanges for the Wekiva Parkway.

The Orlando-Orange County Expressway Authority is granted the authority to act as a third-party acquisition agent, pursuant to s. 259.041, F.S., on behalf of the Board of Trustees of the Internal Improvement Trust Fund or pursuant to ch. 373, F.S., on behalf of the governing board of the St. Johns River Water Management District, for the acquisition of all necessary lands, property and all interests in property identified in the Study Area, including fee simple or less-than-fee simple interests. The lands subject to this authority are Neighborhood Lakes, Seminole Woods/Swamp, New Garden Coal, and Pine Plantation. The Department of Transportation, the Department of Environmental Protection, the St. Johns River Water Management District, and other land acquisition entities shall participate and cooperate in providing information and support to the third-party acquisition agent. The land acquisition process shall begin no later than

December 31, 2004, and acquisition of Neighborhood Lakes, Pine Plantation, and New Garden Coal shall be concluded no later than December 31, 2010. Department of Transportation and Orlando-Orange County Expressway Authority funds expended to purchase an interest in those lands shall be eligible as environmental mitigation for road construction related impacts in the Study Area. Acquisition of these lands is required to provide right-of-way for the Wekiva Parkway and to provide regional connectivity, improve safety, accommodate projected population and economic growth, satisfy critical transportation requirements caused by increased traffic volume growth and travel demands, and protect the surface water and groundwater resources of Lake, Orange, and Seminole Counties.

The Department of Transportation, the Department of Environmental Protection, the St. Johns River Water Management District, Orlando-Orange County Expressway Authority, and other land acquisition entities shall cooperate and establish funding responsibilities and partnerships by agreement to the extent funds are available to the various entities.

The Department of Environmental Protection and the St. Johns River Water Management District shall give the highest priority to the acquisition of the identified lands for Florida Forever purchases.

The Orlando-Orange County Expressway Authority is authorized to exercise its condemnation powers to construct, finance, operate, own, and maintain the Wekiva Parkway and the portion of SR 414 known as the Maitland Boulevard Extension and the realigned portion of the Northwest Beltway Part A as part of the authority's long-range capital improvement plan. These projects may be financed with any funds available to the authority for such purposes, including revenue bonds issued pursuant to the State Constitution.

Studies

The Department of Environmental Protection is required to do a study regarding wastewater treatment standards needed to protect the surface and groundwater quality in the Study Area.

The Department of Health, in coordination with the Department of Environmental Protection, is required to do a study regarding onsite sewage disposal system standards needed to protect the groundwater quality in the Study Area.

The St. Johns River Water Management District must initiate rulemaking to amend the recharge criteria in Rule 40C-41.063(3), F.A.C., to apply to all recharge lands within the Study Area. Also, the rule must provide that the post-development recharge volume conditions within the Study Area approximate pre-development recharge volume conditions. The district shall study and undertake this rulemaking to accomplish this standard on a development-specific basis. Also, the district must adopt a consolidated environmental resources permit/consumptive use permit for irrigation of urban landscape, golf courses, and other recreational areas.

The St. Johns River Water Management District must conduct an analysis of the impact of redevelopment projects in the Wekiva River Basin upon aquifer recharge.

The St. Johns River Water Management District must update the minimum flows and levels for Rock Springs and Wekiva Springs and revise consumptive use permit thresholds in the Study Area to address proposed water withdrawals above 50,000 gal./day. Also, the district must establish pollution load reduction goals for the Study Area to be used by the Department of Environmental Protection in adopting total maximum daily loads for impaired waters within the Study Area.

The Department of Agriculture and Consumer Services is the lead agency for coordinating the reduction of agriculture nonpoint sources of pollution.

Stormwater and Water Facilities Management Plans

Each local government within the Study Area must adopt a master stormwater management plan and a wastewater facility plan for joint planning areas and utility service areas where central wastewater systems are not readily available.

Comprehensive Plan Amendments

Local governments in the Study Area must adopt amendments to their local government comprehensive plans to:

- Adopt an interchange land use plan. (Local governments hosting an interchange.)
- Ensure implementation of the master stormwater management plan.
- Establish land use strategies that optimize open space and promote a pattern of development that protects the most effective recharge areas.
- Provide an up-to-date 10-year water supply facility work plan for building potable water facilities necessary to serve existing and new development.

Comprehensive plan amendments are exempt from the two-per-calendar-year limitation.

The Department of Community Affairs and the St. Johns River Water Management District must assure that any comprehensive plan amendments that increase development potential demonstrate that adequate potable water consumptive use permit capacity is available.

Local governments within the Study Area must coordinate with the St. Johns River Water Management District and other public and private utilities to implement cooperative solutions for development of alternative water sources necessary to supplement groundwater supplies consistent with the St. Johns River Water Management District Regional Water Supply Plan.

Wekiva River Basin Commission

A 19-member Wekiva River Basin Commission is created to monitor and ensure the implementation of the Wekiva River Basin Coordinating Committee's recommendations.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 38-0; House 113-0

CS/SB 2736 — Taking of Fish and Shellfish

by Finance and Taxation Committee and Senator Lawson

This bill provides that the annual fee for a crawfish trap number for persons taking or attempting to take crawfish with a trap in commercial quantities or for commercial purposes is increased from \$100 to \$125. The \$25 increase must be used to pay for the recovery of lost or abandoned crawfish traps. This bill clarifies that persons who take or attempt to take crawfish in commercial quantities or for commercial purposes by any method other than with a trap must pay an annual fee of \$100. For each person holding a crawfish stamp number, the bill provides an exemption from the \$10 per trap retrieval fee assessed against trap owners so that the first 5 traps retrieved are free.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 37-0; House 117-0

CS/CS/SB 2804 — Greenways and Trails

by Comprehensive Planning Committee; Natural Resources Committee; and Senators Dockery, Cowin, and Bennett

This bill establishes the Legislature's intent to recognize the efforts of the federal government and private citizens in establishing the Florida National Scenic Trail, and establishes legislative recognition of the economic benefit of nature-based recreation. All state, regional, and local agencies that purchase lands are encouraged to include lands over which the trail passes and to consider the trail a single project with multiple phases for purposes of listing and acquisition.

Private property landowners must provide written authorization to the Department of Environmental Protection (department) prior to a determination by the department that public access to greenways and trails located on private lands is appropriate. Noticing requirements for a determination of appropriate access are provided.

Provisions requiring that greenways and trails lands be purchased according to ch. 260, F.S., are repealed, thereby allowing the acquisition of greenways and trails lands under the state's acquisition process established in ch. 259, F.S. The membership and terms of the Florida

Greenways and Trails Council are revised. The Legislature is authorized to add to the Big Bend Historic Saltwater Paddling Trails as part of the statewide saltwater circumnavigation trail.

This bill creates the Conserve by Bicycle Program at the Department of Transportation (DOT) with the purposes of saving energy by increasing the number of miles ridden on bicycles thereby reducing the usage of petroleum-based fuels, and increasing efficiency of cycling as a transportation mode by improving interconnectivity. The DOT is directed to conduct a Conserve by Bicycling study using a combination of federal and agency funds to examine how the use of bicycles can reduce traffic congestion and provide recreational and health benefits. The study must be conducted with the assistance of the State Pedestrian/Bicycle Coordinator, metropolitan planning organizations, the Office of Greenways and Trails at the department, and the Department of Health. If sufficient funding is available, the study must be completed by July 1, 2006 and submitted to the Governor, the Legislature, and the Secretaries of Transportation, Environmental Protection, and Health.

Sales or leases directly to Florida Mining-Recreation, Inc., a nonprofit corporation created for the purpose of developing public recreational opportunities on phosphate lands, are exempt from the sales tax imposed under ch. 212, F.S. The corporation will be considered a nonprofit corporation for all state and local requirements thereto. Funds provided in the 2004 General Appropriations Act and future appropriations to the corporation in the amount of \$200,000 or less shall be paid directly to the corporation by the state, and may be expended for any valid purpose of the corporation as provided by law. The corporation is exempt from competitive bidding requirements for contracts under \$100,000. Annual audits of the corporation must set forth the manner in which all funds have been spent and must include an inventory of the corporation's physical assets.

This bill provides that the Florida Communities Trust program established in ch. 380, F.S., may acquire real and personal property to provide public access or public recreational facilities along the Florida National Scenic Trail.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 40-0; House 113-3

CS/CS/SB 2820 — Fish and Wildlife Conservation Commission

by Governmental Oversight and Productivity Committee; Natural Resources Committee; and Senator Argenziano

This bill provides for the reorganization of the Fish and Wildlife Conservation Commission (FWC) in an effort to align and integrate similar functions within the agency, flatten the agency's organizational structure, and improve agency efficiency. No new staff or funding is required under the agency reorganization.

The Fish and Wildlife Research Institute will serve as the primary source of research and technical information and expertise on the status of Florida's saltwater, freshwater, and wild animal life species and their habitat. The Division of Freshwater Fisheries Management will facilitate the responsible and sustained use of freshwater aquatic life resources. The Division of Habitat and Species Conservation will be responsible for protecting and conserving Florida's diverse and unique fish and wildlife species. The Division of Hunting and Game Management will facilitate the responsible and sustained use of wildlife resources. The Division of Law Enforcement will ensure enforcement of the laws and rules governing the management, protection, conservation, improvement, and expansion of wildlife, freshwater aquatic life, and marine life resources. The Division of Marine Fisheries Management will facilitate the responsible and sustained use of marine life resources. The principal unit for administrative and support services will be the Office of Executive Direction and Administrative Support Services headed by the executive director of the FWC.

The FWC is authorized to publish the Florida Wildlife Magazine, and the Florida Wildlife Magazine Advisory Council is created to provide recommendations to the FWC regarding the development, publication, and sale of the magazine. This bill provides 4.5 full-time equivalent positions and \$390,000 in recurring appropriations from the State Game Trust Fund to the FWC to fund and operate the magazine.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 38-0; House 117-1

SB 2832 — Water Management District Planning and Reporting

by Senator Atwater

This bill establishes legislative findings that:

- Plans and reports submitted to the Legislature and the Governor by the South Florida Water Management District (district) on the status of district programs and the state's water resources are necessary to ensure proper protection and management of those resources.
- Such plans and reports should be coordinated or consolidated where appropriate.
- Increased access to plans and reports will enhance and improve protection of the state's water resources.

The district is directed to begin a pilot project to:

- Review all such plans and reports that are required by law to be annually submitted to the Governor and the Legislature.
- Determine how the information submitted in annual plans and reports can be provided in a more efficient and effective manner.

- Submit any annual plans or reports due after the effective date of the act and prior to February 2, 2005 no later than February 15, 2005, and to consolidate such plans and reports where appropriated.

The bill provides that annual legislative budget requests, and tentative and final budget submissions to the Executive Office of the Governor are not included in the pilot project. No later than February 15, 2005, the district must submit a report to the Governor, the President of the Senate and the Speaker of the House of Representatives on efforts to coordinate and consolidate legislatively mandated plans and reports, and include proposed statutory changes, including recommendations from the other water management districts and the Department of Environmental Protection.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 40-0; House 117-0

HB 293 — Water Resources

by Rep. Russell and others (CS/CS/CS/SB 1104 by Appropriations Committee; Comprehensive Planning Committee; Natural Resources Committee; and Senators Dockery and Lynn; CS/CS/SB 1142 by Appropriations Committee; Natural Resources Committee; and Senator Dockery)

This bill requires local governments to address in local comprehensive plans the water supply sources necessary to meet and achieve existing and projected water use demand. The date by which certain elements of a local comprehensive plan are required to consider regional water supply plans is amended to accommodate the update of those regional water supply plans. Water management districts (districts) are authorized to provide electronic notice of consumptive use permit applications at the request of the affected local government.

The water management district governing boards are authorized to adopt rules to identify preferred water supply sources which may be used to provide substantial new water supplies for existing and future uses so long as existing water resources and natural systems are sustained. The source of the water and the amount of water projected to be available for use must be included in the rule. At the request of the permit applicant, permits for the use of preferred water supply sources may be issued for at least a 20-year period.

This bill authorizes the districts to require the use of reclaimed water in lieu of surface or ground water if the use of reclaimed water is environmentally, technically, and economically feasible. The districts also are required to work with various entities to develop landscape irrigation and xeriscape design standards for new construction and develop scientifically based model guidelines for urban, commercial, and residential landscape irrigation. Landscape and irrigation design standards must be based on the irrigation code defined in the Florida Building Code,

Plumbing Volume, Appendix F. Local governments are required to use the standards and guidelines when developing landscape and xeriscape ordinances.

The Department of Environmental Protection, (department) in consultation with specified parties, is required to develop a comprehensive statewide water conservation program for public water supply. The districts are prohibited from fixing or revising water rates, and public water supply utilities are given the flexibility to propose a conservation plan or program tailored to each utility's specific service area. By December 1, 2005, the department must submit a written report to the Legislature outlining the progress made in implementing a statewide water conservation program.

This bill establishes additional responsibilities for the districts when regional water supply plans are being developed. Within the boundaries of a regional water supply authority located in the Southwest Florida Water Management District, the regional water supply authority and the district must jointly develop the water supply component of a regional water supply plan. Water conservation is encouraged by allowing projects that provide alternative water sources to receive a 20-year permit and receive consideration for priority funding assistance. Water reuse projects are also eligible for funding assistance based on conditions such as metering of reclaimed water use or implementing water rate structures. Each state agency and water management district is required to use reclaimed water to the greatest extent practicable.

This bill authorizes certain water facilities to receive a bond allocation under the private activity bond program administered by the Division of Bond Finance within the State Board of Administration. State law is conformed to federal law to protect federal funding for the state's drinking water programs administered by the department.

This bill provides for a feasibility study for the augmentation of ground water supplies in South Florida through the discharge of reclaimed wastewater into canals and the aquifer systems so long as any discharges conducted as part of the study comply with all federal, state, and local laws. Nothing in the feasibility study can be used to alter the Comprehensive Everglades Restoration Plan or the implementation of the federal Water Resources Act of 2000.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 116-0

HB 347 — Florida Inland Navigation District

by Rep. Bean (SB 1298 by Senator Wise)

This bill (Chapter 2004-15, L.O.F.) amends the territorial boundaries of the Florida Inland Navigation District to include Nassau County. The bill increases the membership of the district's governing board from 11 to 12 members to reflect the addition of Nassau County. Amendments

to the navigation district are contingent upon voter approval of the levy of ad valorem taxes for Nassau County's financial participation.

These provisions were approved by the Governor on April 14, 2004, but shall take effect only upon approval of the levy of ad valorem taxation provided in s. 374.986, F.S., by a majority of the qualified electors of Nassau County voting in a referendum to be held in conjunction with any subsequent regular primary or general election, as determined by the Board of County Commissioners of Nassau County, except that this section and section 3 of the bill, which corrects the reference of Dade County to Miami-Dade County, took effect upon becoming a law.
Vote: Senate 38-0; House 118-0

HB 373 — Water Policy

by Rep. Spratt and others (CS/SB 2342 by Natural Resources Committee and Senator Alexander)

This bill transfers those portions of Highlands County lying within the boundaries of the Southwest Florida Water Management District to the South Florida Water Management District effective July 1, 2004, and removes Highlands County from the Southwest Florida Water Management District's governing board. The bill further provides that the Southwest Florida Water Management District will take final agency action on all permit applications received by the district prior to July 1, 2004. After that date, all matters related to any such permits will be regulated by the South Florida Water Management District.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 40-0; House 109-0

HB 989 — Environmental Protection/Road and Bridge Repair

by Rep. Spratt (CS/SB 2200 by Natural Resources Committee and Senator Lawson)

This bill (Chapter 2004-16, L.O.F.) provides that the permit exemption for the repair, stabilization, or paving of existing county-maintained roads and bridges that is currently available in the Northwest Florida Water Management District (NFWMD) would also apply in the Suwannee River Water Management District (SRWMD). Prior to performing any road or bridge work covered by this exemption, notice of intent to use the exemption must be provided to the Department of Environmental Protection (DEP) if the work is to be performed in the NFWMD, or to the SRWMD if the work to be performed is in the SRWMD.

Within 30 days after this bill becomes a law, the DEP shall initiate rulemaking to adopt a no-fee permit for the repair, stabilization, or paving of existing county-maintained roads and the repair or replacement of bridges that are part of the roadway where such activities do not cause significant adverse impacts to occur individually or cumulatively. The general permit shall apply statewide. This bill became effective April 14, 2004, and the DEP noticed proposed rule development for this general permit on April 23, 2004. For qualified projects in the four water

management districts that administer the Environmental Resources Permit (ERP) program, no additional rulemaking will be required. This general permit will be administered in the NFWFMD by the Northwest District Office of the DEP since there is no ERP program in the NFWFMD. Once the general permit has been adopted by rule, it will supercede the exemption that is provided for the NFWFMD and the SRWMD.

These provisions were approved by the Governor and took effect April 14, 2004.

Vote: Senate 38-0; House 114-0

HB 1613 — Vessel Safety

by Rep. M. Davis and others (CS/SB 2664 by Natural Resources Committee and Senators Smith and Dockery)

This bill authorizes the operation of law enforcement vehicles without headlights if the operation of the vehicle is necessary to the performance of a law enforcement officer's duties, if the law enforcement agency has a written policy providing guidelines and authorizing the operation of a vehicle without headlights, if the vehicle is being operated in compliance with agency policy, and if the operation of the vehicle without the display of headlights can be safely accomplished. The authority to operate a law enforcement vehicle without the display of headlights does not relieve the operator of the duty to drive with due regard for public safety, or provide protection to the driver from the consequences of reckless driving.

This bill raises the damage threshold for owners or operators of vessels reporting damage to vessels or property resulting from boating accidents from \$500 to \$2,000. The damage threshold at which law enforcement officers investigating a boating accident must forward a written investigation report within 24 hours to the Division of Law Enforcement at the Fish and Wildlife Conservation Commission (FWC) is also raised from \$500 to \$2,000. If a vessel is leased, rented, or chartered at the time of an accident, the person offering the vessel for lease, rent, or charter is responsible for reporting accidents involving damage to the vessel or other property.

This bill authorizes state and local law enforcement personnel to operate in federally designated safety zones, security zones, regulated navigation areas, or naval vessel protection zones if necessary to augment federal law enforcement efforts and if there is a compelling need to protect the residents and infrastructure of the state. The federal government's requests for enforcement assistance must be made to the Florida Department of Law Enforcement through the Florida Mutual Aid Plan established in s. 23.1231, F.S.

This bill provides first degree misdemeanor penalties for persons who knowingly commit a violation of a restriction of a safety zone, security zone, regulated navigation area or naval vessel protection zone, and provides third degree felony penalties for persons who continue to knowingly commit a violation of a restriction of a safety zone, security zone, regulated navigation area or naval vessel protection zone. Each incursion into a safety zone, security zone,

regulated navigation area, or naval vessel protection zone is considered a separate offense. Entries into such zones authorized by the captain of the port being entered, or the captain's designee, are not considered violations of the zones.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 40-0; House 115-1

HB 1833 — Exemption from Public Records Requirements

by Natural Resources Committee, Rep. M. Davis, and others (CS/SB 2158 by Governmental Oversight and Productivity Committee and Senator Fasano)

This bill provides a time-limited public records exemption for information regarding the value of lands which the Board of Trustees of the Internal Improvement Trust Fund has determined to be surplus lands available for sale, exchange, or disposal. Notwithstanding the exemption, the Division of State Lands at the Department of Environmental Protection is authorized to disclose appraisals, valuations, or valuation information about lands declared surplus under certain conditions.

This bill provides that the public records exemption is subject to the Open Government Sunset Review Act of 1995, and is repealed on October 2, 2009, unless reviewed and reenacted by the Legislature. Legislative findings that the temporary preservation of valuation information is a public necessity to ensure maximum return to the state from the disposition of surplus lands are provided.

This bill passed the Legislature with a two-thirds vote of each House as required by s. 24(c), Art. I, of the State Constitution.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 39-1; House 118-0