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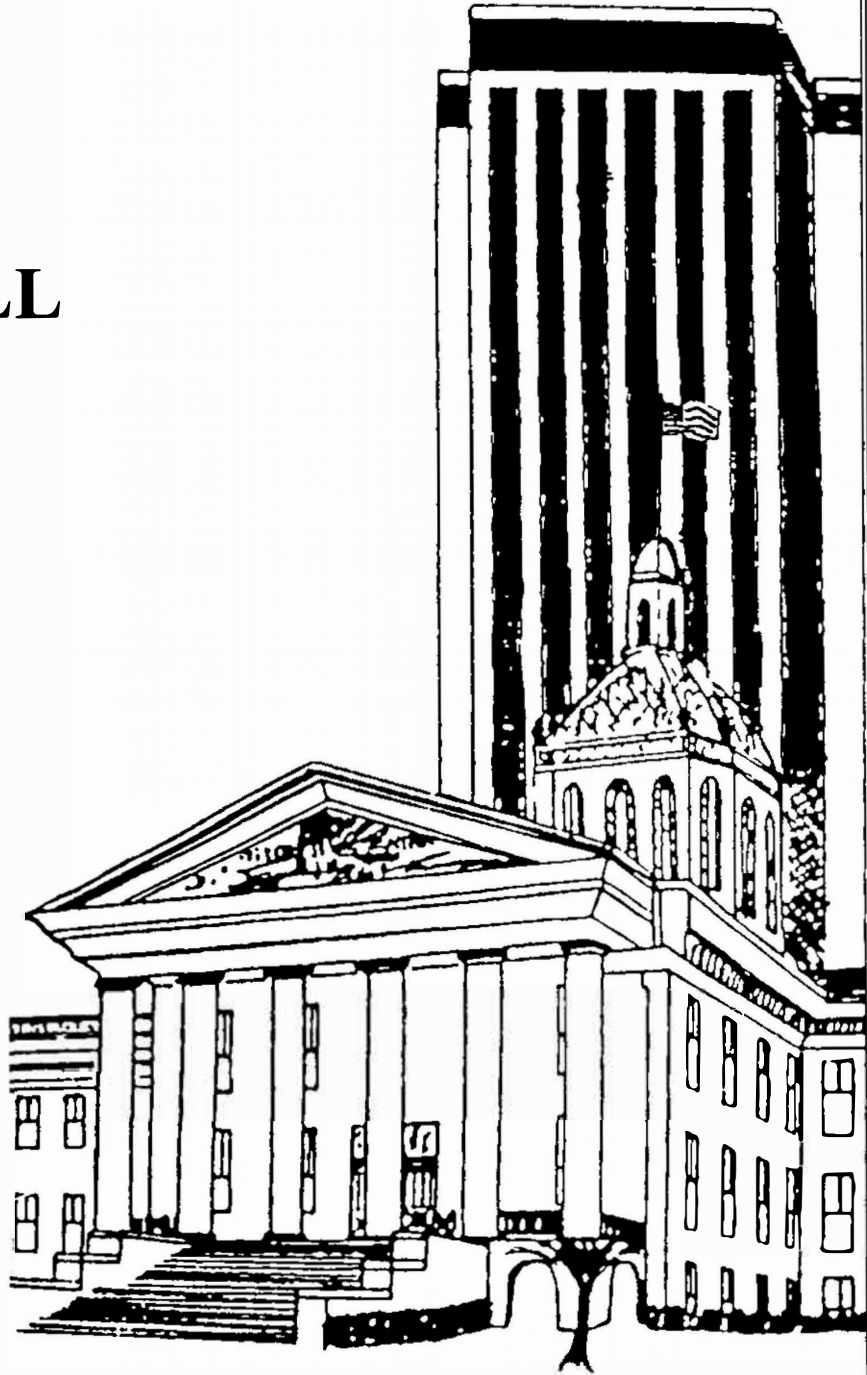
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FLORIDA LEGISLATURE

FINAL LEGISLATIVE BILL INFORMATION

1997 Regular Session



prepared by:

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HISTORY OF SENATE BILLS

S 1484 GENERAL BILL by Gutman (Similar CS/1ST ENG/H 1345)
Lodging & Food Service Establishment, provides standards for rules adopted by Hotels & Restaurants Division of DBPR Amends 509 032 Effective Date Upon becoming law
 03/04/97 SENATE Filed
 03/12/97 SENATE Introduced, referred to Commerce and Economic Opportunities -SJ 00163
 04/10/97 SENATE On Committee agenda--Commerce and Economic Opportunities, 04/14/97, 9 00 am, Room-EL--Not considered
 04/15/97 SENATE On Committee agenda--Commerce and Economic Opportunities, 04/17/97, 1 30 pm, Room-EL
 04/17/97 SENATE Comm Action -Favorable with 1 amendment(s) by Commerce and Economic Opportunities -SJ 00584
 04/18/97 SENATE Placed on Calendar -SJ 00584
 04/28/97 SENATE Placed on Special Order Calendar -SJ 00709
 04/29/97 SENATE Placed on Special Order Calendar -SJ 00709, -SJ 00938
 04/30/97 SENATE Placed on Special Order Calendar -SJ 00938, -SJ 01096
 05/01/97 SENATE Placed on Special Order Calendar -SJ 00957, -SJ 01096
 05/02/97 SENATE Placed on Consent Calendar -SJ 01843, Read second time -SJ 01330, Amendment(s) adopted -SJ 01330, House Bill substituted -SJ 01331, Laid on Table, refer to CS/HB 1345 (Vetoed by Governor)

S 1485 GENERAL BILL/CS/2ND ENG by Natural Resources; Dyer; (CO-SPONSORS) Crist (Compare H 1053, H 1483, H 1733, S 1628, S 1914)
Community Redevelopment, authorizes Office of Tourism, Trade, & Economic Development to amend boundaries of certain enterprise zones, amends provision re Lake Apopka improvement & management to provide maximum purchase price for certain agricultural lands, authorizes Orange Co & Apopka to apply for designation of enterprise zone in areas suffering adverse impacts due to governmental acquisition of Lake Apopka farmlands, etc Amends 373 461, creates 290 0067 Effective Date 05/23/1997
 03/04/97 SENATE Filed
 03/12/97 SENATE Introduced, referred to Natural Resources, Ways and Means -SJ 00163
 03/17/97 SENATE On Committee agenda--Natural Resources, 03/19/97, 2 00 pm, Room-A(LL-37)
 03/19/97 SENATE Comm Action CS by Natural Resources -SJ 00277, CS read first time on 03/26/97 -SJ 00284
 03/21/97 SENATE Now in Ways and Means -SJ 00277
 03/25/97 SENATE On Committee agenda--Ways and Means, 03/27/97, 1 00 pm, Room-EL
 03/27/97 SENATE Comm Action -Favorable by Ways and Means -SJ 00362
 03/28/97 SENATE Placed on Calendar -SJ 00362
 04/03/97 SENATE Placed on Special Order Calendar -SJ 00361, Read second time -SJ 00340, Amendment(s) adopted -SJ 00340, Ordered engrossed -SJ 00341
 04/07/97 SENATE Read third time -SJ 00389, CS passed as amended, YEAS 39 NAYS 0 -SJ 00389, Immediately certified -SJ 00389
 04/07/97 HOUSE In Messages
 04/23/97 HOUSE Received -HJ 00875
 04/24/97 HOUSE Placed on Economic Impact Council Calendar -HJ 00875
 04/25/97 HOUSE Substituted for HB 1483 HJ 01048, Read second time -HJ 01048, Amendment pending--Temporarily postponed -HJ 01048
 04/29/97 HOUSE Pending amendment adopted -HJ 01190, Read third time -HJ 01190, CS passed as amended, YEAS 113 NAYS 1 -HJ 01190
 04/29/97 SENATE In returning messages
 05/02/97 SENATE Was taken up -SJ 01484, Concurred -SJ 01486, CS passed as amended, YEAS 36 NAYS 0 -SJ 01486, Ordered engrossed, then enrolled -SJ 01486
 05/08/97 Signed by Officers and presented to Governor
 05/23/97 Approved by Governor, Chapter No 97-81

S 1485 GENERAL BILL by Dyer (Compare H 1733)
Lake Apopka Restoration/Purchase, provides appropriation for purchasing lands described in certain provision, & their related facilities Appropriation \$45,000,000 Effective Date 07/01/1997
 03/04/97 SENATE Filed
 03/12/97 SENATE Introduced, referred to Natural Resources, Ways and Means -SJ 00163
 05/02/97 SENATE Died in Committee on Natural Resources

S 1490 GENERAL BILL by Campbell; (CO-SPONSORS) Meadows; Forman; Holzendorf; Latvala (Similar H 1481)
State Uniform Traffic Control, defines term "inoperative" Amends 316 003 Effective Date 07/01/1997
 03/04/97 SENATE Filed
 03/12/97 SENATE Introduced, referred to Transportation -SJ 00164
 05/02/97 SENATE Died in Committee on Transportation

S 1492 GENERAL BILL by Meadows; (CO-SPONSORS) Forman; Jones; Latvala; Clary; Lee (Identical H 1599, Compare CS/H 1557)
License Plates/Adopt Greyhounds, creates Adopt Greyhounds license plate,

S 1492 (CONTINUED)
 provides for distribution of annual use fees received from sale of such plates Amends 320 08056, 08058 Effective Date 07/01/1997 if enacted by 3/5ths vote of membership of each house of Legislature
 03/04/97 SENATE Filed
 03/12/97 SENATE Introduced, referred to Transportation, Ways and Means -SJ 00164
 05/02/97 SENATE Died in Committee on Transportation

S 1494 GENERAL BILL by Dyer (Compare 2ND ENG/H 2011, CS/S 2450)
Real Estate Appraisals, provides disciplinary action for violations of Uniform Standards of Professional Appraisal Practice Amends 475 205 Effective Date 07/01/1997
 03/04/97 SENATE Filed
 03/12/97 SENATE Introduced, referred to Regulated Industries -SJ 00164
 05/02/97 SENATE Died in Committee on Regulated Industries

S 1496 GENERAL BILL by Harris (Similar 1ST ENG/H 1199)
Museums/Property Loans, provides legislative intent, definitions, & obligations of museums to lenders, provides for notice to lenders by museums & provides for termination of loans, provides conditions under which museum gains title to property, provides for conservation or disposal of loaned property by museum Effective Date 10/01/1997
 03/04/97 SENATE Filed
 03/12/97 SENATE Introduced, referred to Governmental Reform and Oversight, Judiciary -SJ 00164
 03/14/97 SENATE On Committee agenda--Governmental Reform and Oversight, 03/18/97, 9 00 am, Room-1C(309)
 03/18/97 SENATE Comm Action Favorable by Governmental Reform and Oversight -SJ 00235
 03/19/97 SENATE Now in Judiciary -SJ 00235
 03/28/97 SENATE On Committee agenda--Judiciary, 04/02/97, 2 30 pm, Room-1C(309)
 04/02/97 SENATE Comm Action--Favorable with 1 amendment(s) by Judiciary -SJ 00362
 04/03/97 SENATE Placed on Calendar -SJ 00362
 04/28/97 SENATE Placed on Special Order Calendar -SJ 00709
 04/29/97 SENATE Placed on Special Order Calendar -SJ 00709, -SJ 00938
 04/30/97 SENATE Placed on Special Order Calendar -SJ 00938, -SJ 01096
 05/01/97 SENATE Placed on Consent Calendar -SJ 01294, Read second time -SJ 01126, Amendment(s) adopted -SJ 01126, House Bill substituted -SJ 01126, Laid on Table, Iden /Sim / Compare Bill(s) passed, refer to HB 1199 (Ch 97-267)

S 1496 GENERAL BILL/2ND ENG by Harris (Similar H 1201)
Museum of Florida History Programs requires Historical Resources Div of Dept of State to establish & administer program to recognize & record achievements of certain Floridians, authorizes division to undertake certain recording & marketing activities, authorizes division to collect charge for providing certain materials, creates The Grove Advisory Council within Dept of State, specifies uses of property, etc Amends 267 072, creates 267 075 Effective Date 10/01/1997
 03/04/97 SENATE Filed
 03/12/97 SENATE Introduced, referred to Governmental Reform and Oversight, Ways and Means -SJ 00164
 03/14/97 SENATE On Committee agenda--Governmental Reform and Oversight, 03/18/97, 9 00 am, Room-1C(309)
 03/18/97 SENATE Comm Action Favorable with 1 amendment(s) by Governmental Reform and Oversight -SJ 00235
 03/19/97 SENATE Now in Ways and Means -SJ 00235
 03/26/97 SENATE Withdrawn from Ways and Means -SJ 00269, Placed on Calendar
 04/03/97 SENATE Placed on Special Order Calendar -SJ 00361
 04/07/97 SENATE Placed on Special Order Calendar -SJ 00324, Read second time -SJ 00391, Amendment(s) adopted -SJ 00391, Ordered engrossed -SJ 00391
 04/09/97 SENATE Read third time -SJ 00405, Passed as amended, YEAS 37 NAYS 0 -SJ 00405, Immediately certified -SJ 00405
 04/09/97 HOUSE In Messages
 04/23/97 HOUSE Received -HJ 00696, Placed on Consent Calendar -HJ 00696
 04/24/97 HOUSE Substituted for HB 1201 -HJ 00765, Read second time -HJ 00765, Amendment(s) adopted -HJ 00765, Read third time -HJ 00766, Passed as amended, YEAS 114 NAYS 0 -HJ 00766
 04/24/97 SENATE In returning messages
 05/02/97 SENATE Was taken up -SJ 01486, Concurred -SJ 01487, Passed as amended, YEAS 39 NAYS 0 -SJ 01487, Ordered engrossed, then enrolled -SJ 01487
 05/19/97 Signed by Officers and presented to Governor
 06/04/97 Became Law without Governor's Signature, Chapter No 97-305

S 1500 GENERAL BILL/CS by Executive Business, Ethics and Elections; Harris (Compare 1ST ENG/H 1109)
Public Officers & Employees, amends provisions which provides for forfeiture

(CONTINUED ON NEXT PAGE)

HISTORY OF HOUSE BILLS

H 1473 (CONTINUED)

04/30/97 SENATE Considered by Rules and Calendar, placed on Local Calendar -SJ 01096
 05/01/97 SENATE Placed on Local Calendar -SJ 00957, Read second and third times -SJ 01142, Passed, YEAS 40 NAYS 0 -SJ 01142
 05/01/97 HOUSE Ordered enrolled -HJ 01755
 05/14/97 Signed by Officers and presented to Governor
 05/30/97 Became Law without Governor's Signature, Chapter No 97-362

H 1475 GENERAL BILL by Logan; (CO-SPONSORS) Meek (Identical S 1386)

Voting Rights/Convicted Felon, provides that convicted felon who is incarcerated or who is on probation, parole, or community control may not vote, provides for automatic restoration of right to vote on specified date after completion of sentence Amends 97 041 Effective Date 07/01/1997
 03/14/97 HOUSE Filed
 03/19/97 HOUSE Introduced -HJ 00232
 05/02/97 HOUSE Carried over to 1998 Session pursuant to House Rule 96, Introduced, not referred

H 1477 LOCAL BILL by Maygarden; (CO-SPONSORS) Melvin; Burroughs; Ritchie

Pensacola/Budget Adoption, (Escambia Co) revises charter of City of Pensacola to provide that city council may adopt its budget, & amendments thereto, by ordinance or resolution Effective Date 05/30/1997
 03/14/97 HOUSE Filed
 03/19/97 HOUSE Introduced -HJ 00232
 03/24/97 HOUSE Referred to Community Affairs (GRC) -HJ 00324
 03/31/97 HOUSE On Committee agenda--Community Affairs (GRC), 04/04/97, 10 00 am, Morris Hall
 04/04/97 HOUSE Comm Action -Unanimously Favorable by Community Affairs (GRC) -HJ 00495
 04/08/97 HOUSE Placed on Calendar -HJ 00495
 04/24/97 HOUSE Placed on Local Calendar, Read second and third times -HJ 00818, Passed, YEAS 116 NAYS 0 -HJ 00818
 04/24/97 SENATE In Messages
 04/29/97 SENATE Received, referred to Rules and Calendar -SJ 00941
 04/30/97 SENATE Considered by Rules and Calendar, placed on Local Calendar -SJ 01096
 05/01/97 SENATE Placed on Local Calendar -SJ 00957, Read second and third times -SJ 01142, Passed; YEAS 40 NAYS 0 -SJ 01142
 05/01/97 HOUSE Ordered enrolled -HJ 01755
 05/14/97 Signed by Officers and presented to Governor
 05/30/97 Became Law without Governor's Signature, Chapter No 97-363

H 1479 GENERAL BILL/CS by Transportation (EIC); Cosgrove (Similar CS/S 1668)

Traffic Control/Automated Monitor, defines term "traffic-infraction detector", authorizes county or municipality to enact ordinance that provides for use of detector to enforce traffic laws that require driver of vehicle to stop when facing steady red traffic signal, requires public notice prior to use of said detector, requires tax collector to withhold issuing license plate or revalidation sticker if person's name appears on list of outstanding fines, etc Amends Chs. 316, 320 Effective Date Upon becoming law
 03/14/97 HOUSE Filed
 03/19/97 HOUSE Introduced -HJ 00232
 03/24/97 HOUSE Referred to Transportation (EIC), Community Affairs (GRC), Law Enforcement & Public Safety (JC), Transportation & Economic Development Appropriations -HJ 00324
 04/04/97 HOUSE On Committee agenda--Transportation (EIC), 04/10/97, 12 30 pm, 413C
 04/10/97 HOUSE Comm Action CS by Transportation (EIC) -HJ 00595
 04/16/97 HOUSE CS read first time on 04/16/97 -HJ 00593
 04/15/97 HOUSE Now in Community Affairs (GRC) -HJ 00595
 05/02/97 HOUSE Carried over to 1998 Session pursuant to House Rule 96, In House Committee on Community Affairs (GRC)

H 1481 GENERAL BILL by Effman; (CO-SPONSORS) Futch; Smith; Martinez; Carlton; Bloom; Tobin (Similar S 1490)

State Uniform Traffic Control, defines term "inoperative traffic control signal" Amends 316 003 Effective Date Upon becoming law
 03/14/97 HOUSE Filed
 03/19/97 HOUSE Introduced -HJ 00232
 03/24/97 HOUSE Referred to Transportation (EIC) -HJ 00324
 04/09/97 HOUSE Withdrawn from Transportation (EIC) -HJ 00435, Filed and not referred -HJ 00435
 04/23/97 HOUSE Withdrawn from further consideration -HJ 00670

H 1483 GENERAL BILL by Sindler; (CO-SPONSORS) Bradley (Identical S 1914, Compare H 1733, CS/2ND ENG/S 1486)

Enterprise Zones/Lake Apopka, provides for creation of two enterprise zones in areas impacted by acquisition of Lake Apopka farm lands, provides for dura-

H 1483 (CONTINUED)

tion of these enterprise zones Creates 290 0067 Effective Date Upon becoming law
 03/14/97 HOUSE Filed
 03/19/97 HOUSE Introduced -HJ 00232
 03/24/97 HOUSE Referred to Business Development & International Trade (EIC), Finance & Taxation (FRC) -HJ 00324
 03/28/97 HOUSE On Committee agenda--Business Development & International Trade (EIC), 04/03/97, 8 30 am, 413C
 04/03/97 HOUSE Comm Action Favorable with 1 amendment(s) by Business Development & International Trade (EIC) -HJ 00494
 04/07/97 HOUSE Now in Finance & Taxation (FRC) -HJ 00494
 04/17/97 HOUSE On Committee agenda--Finance & Taxation (FRC), 04/18/97, 9 00 am, Morris Hall
 04/18/97 HOUSE Comm Action -Unanimously Favorable with 2 amendment(s) by Finance & Taxation (FRC) -HJ 00877, Placed on Economic Impact Council Calendar -HJ 00665
 04/25/97 HOUSE Senate Bill substituted, Laid on Table, Iden /Sim / Compare Bill(s) passed, refer to CS/SB 1486 (Ch 97-81) -HJ 01048

H 1485 GENERAL BILL/CS by Business Development & International Trade (EIC); Turnbull; Valdes (Similar S 1162)

Aviation Fuel Tax/Air Carriers, provides for refund or credit for aviation fuel tax for wholesalers or terminal suppliers that deliver aviation fuel to air carrier that offers jet passenger service, or maintains or increases scheduled service, to state capital, directs DMS to evaluate state contract for air carrier service for state employees, undertake pilot program, & evaluate pilot program, etc Amends 206 9825 Effective Date 07/01/1997
 03/14/97 HOUSE Filed
 03/19/97 HOUSE Introduced -HJ 00232
 03/24/97 HOUSE Referred to Business Development & International Trade (EIC), Finance & Taxation (FRC), General Government Appropriations -HJ 00324
 03/26/97 HOUSE On Committee agenda--Business Development & International Trade (EIC), 04/01/97, 3 30 pm, 102-HOB
 04/01/97 HOUSE Comm Action Unanimously CS by Business Development & International Trade (EIC) -HJ 00494
 04/09/97 HOUSE CS read first time on 04/09/97 -HJ 00491
 04/07/97 HOUSE Now in Finance & Taxation (FRC) -HJ 00494
 05/02/97 HOUSE Carried over to 1998 Session pursuant to House Rule 96, In House Committee on Finance & Taxation (FRC)

H 1487 GENERAL BILL/2ND ENG by Warner; (CO-SPONSORS) Lynn (Similar CS/3RD ENG/H 0137, CS/S 0868, Compare H 1007, CS/1ST ENG/S 0458)

Education/Programs, transfers certain functions from Board of Educ to Education Commissioner, requires commissioner to adopt rules to implement migrant education program, requires Board of Educ & DOE to provide certain assistance for educational programs of Juvenile Justice Dept, amends provision re school improvement & education accountability, provides commissioner & state board authority to adopt rules prescribing required instruction, etc Amends FS Effective Date 07/01/1997
 03/14/97 HOUSE Filed
 03/19/97 HOUSE Introduced -HJ 00232
 03/24/97 HOUSE Referred to Education/K-12 (AEC), Education Appropriations -HJ 00324
 04/04/97 HOUSE On Committee agenda--Education/K-12 (AEC), 04/10/97, 8 30 am, 413C--Not considered
 04/18/97 HOUSE On Committee agenda--Education/K-12 (AEC), 04/23/97, 10 30 am, 413C
 04/23/97 HOUSE Comm Action Unanimously Favorable with 17 amendment(s) by Education/K-12 (AEC) -HJ 00877
 04/24/97 HOUSE Now in Education Appropriations -HJ 00877, Withdrawn from Education Appropriations -HJ 00774
 04/25/97 HOUSE In Academic Excellence Council, pending ranking; Fiscal Responsibility Council in Daily Folder -HJ 01080, Read second time -HJ 00971, Amendment(s) adopted -HJ 00972, Amendment pending--Temporarily postponed -HJ 00974, Was taken up -HJ 00975, Pending amendment withdrawn -HJ 00976
 04/29/97 HOUSE Read third time -HJ 01128, Amendment(s) adopted -HJ 01130, Passed as amended, YEAS 119 NAYS 0 -HJ 01130
 04/29/97 SENATE In Messages
 04/30/97 SENATE Received, referred to Education, Governmental Reform and Oversight, Ways and Means -SJ 01100
 05/02/97 SENATE Upon adjournment in Senate Education, Carried over to 1998 Session pursuant to House Rule 96, Placed on House Consent Calendar
 05/27/97 HOUSE Withdrawn from Consent Calendar, Laid on Table, Iden / Sim / Compare Bill(s) passed, refer to CS/HB 137 (Ch 97-190), CS/SB 458 (Ch 97-2)

H 1489 GENERAL BILL/CS/1ST ENG by Utilities & Communications (EIC); Starks; Harrington, (CO-SPONSORS) Bainter; Lynn; Fasano;

(CONTINUED ON NEXT PAGE)

HISTORY OF HOUSE BILLS

H 1729 (CONTINUED)

04/09/97 HOUSE On Committee agenda—Community Affairs (GRC), 04/15/97, 8 00 am, Morris Hall

04/15/97 HOUSE Comm Action—Unanimously Favorable with 6 amendment(s) by Community Affairs (GRC)—HJ 00665

04/18/97 HOUSE Placed on Calendar—HJ 00665

04/24/97 HOUSE Placed on Local Calendar, Read second time—HJ 00820, Amendment(s) adopted—HJ 00820, Read third time—HJ 00821, Passed as amended, YEAS 116 NAYS 0—HJ 00821

04/25/97 SENATE In Messages

04/28/97 SENATE Received, referred to Rules and Calendar—SJ 00720

04/30/97 SENATE Considered by Rules and Calendar, placed on Local Calendar—SJ 01096

05/01/97 SENATE Placed on Local Calendar—SJ 00957, Read second and third times—SJ 01143, Passed, YEAS 40 NAYS 0—SJ 01143

05/01/97 HOUSE Ordered enrolled—HJ 01755

05/14/97 Signed by Officers and presented to Governor

05/30/97 Became Law without Governor's Signature, Chapter No 97-367

H 1731 GENERAL BILL by Westbrook; (CO-SPONSORS) Peaden; Sembler; Cosgrove

Fictitious Names/Prohibited Use, prohibits use of fictitious name for certain purposes, provides penalty Amends 865 09 Effective Date Upon becoming law

03/25/97 HOUSE Filed

03/26/97 HOUSE Introduced—HJ 00340

04/04/97 HOUSE Referred to Financial Services (EIC)—HJ 00485

05/02/97 HOUSE Carried over to 1998 Session pursuant to House Rule 96, In House Committee on Financial Services (EIC)

H 1733 GENERAL BILL by Sublette (Compare H 1483, CS/2ND ENG/S 1486, S 1485, S 1914)

Lake Apopka Restoration, provides that interim phosphorous abatement measures apply unless certain conditions are met, provides for cost-sharing for cost of certain facilities, provides for establishment of NW Orange Co Redevelopment Commission to develop redevelopment plan for impacted area, provides for enterprise zone designation for certain communities impacted by Lake Apopka land acquisition, etc Amends 373 461, creates 290 0067 Appropriation \$45,000,000 Effective Date 07/01/1997

03/25/97 HOUSE Filed

03/26/97 HOUSE Introduced—HJ 00340

05/02/97 HOUSE Carried over to 1998 Session pursuant to House Rule 96, Introduced, not referred, Iden /Sim /Compare Bill(s) passed refer to CS/2ND ENG/S 1486 (Ch 97-81)

H 1735 GENERAL BILL by Jones

Ad Valorem Tax Exemption/Preschools, revises definition of "educational institution" to include preschools for ad valorem tax exemption purposes, provides that property used predominantly, rather than exclusively, for education purposes is exempt from taxation Amends 196 012, 198 Effective Date 01/01/1998

03/25/97 HOUSE Filed

03/26/97 HOUSE Introduced—HJ 00340

05/02/97 HOUSE Carried over to 1998 Session pursuant to House Rule 96, Introduced, not referred

H 1737 GENERAL BILL by Healey; (CO-SPONSORS) K. Pruitt (Compare 2ND ENG/S 2252)

Tourist Dev. Tax/Operating Deficit, provides for county to levy additional tax for purpose of paying operating deficit of convention center located in community redevelopment area Amends 125 0104 Effective Date 10/01/1997

03/25/97 HOUSE Filed

03/26/97 HOUSE Introduced—HJ 00340

05/02/97 HOUSE Carried over to 1998 Session pursuant to House Rule 96, Introduced, not referred

H 1739 GENERAL BILL by Saunders (Similar CS/1ST ENG/S 2068)

Poison Control Center/911, requires local governmental entity that operates "911" emergency telephone system to enter into agreement with regional poison control center, requires that agreement outline protocol under which poison control center is consulted re each emergency call that involves exposure to potentially toxic substance, requires poison control center to assess emergency & recommend appropriate response Amends 365 171, 395 1027 Effective Date 07/01/1997

03/25/97 HOUSE Filed

03/26/97 HOUSE Introduced—HJ 00340

04/07/97 HOUSE Referred to Health Care Standards & Regulatory Reform (GSC)—HJ 00485

05/02/97 HOUSE Carried over to 1998 Session pursuant to House Rule 96, In House Committee on Health Care Standards & Regulatory Reform (GSC)

H 1741 GENERAL BILL/1ST ENG by Community Affairs (GRC); Gay; (CO-SPONSORS) Turnbull; Constantine; Kosmas; Andrews; Arnold; Thrasher; Arnall; Bitner; Fuller; Rojas (Similar CS/S 1248, Compare H

H 1741 (CONTINUED)

0421, H 0423, 2ND ENG/H 0425, H 0429, H 0567, 1ST ENG/H 0610, 1ST ENG/H 0927, S 0740, S 0742, S 0744, S 0906, S 0994, S 1894, S 1896)

Independent Fire Control Districts, creates Independent Special Fire Control District Act, prescribes uniform criteria for operation of such districts, exempts certain special acts & general acts of local application, exempts district assets & property from taxation, provides requirements & procedures for issuance of bonds, provides penalties for failure to obey orders or directions of fire dept members at scene of rescue operations or other emergencies, etc Amends 316 072 Effective Date 05/30/1997

03/26/97 HOUSE Filed, Introduced—HJ 00340

03/27/97 HOUSE In Governmental Responsibility Council, pending ranking—HJ 00372

04/03/97 HOUSE Placed on Governmental Responsibility Council Calendar—HJ 00433

04/14/97 HOUSE Read second time—HJ 00548, Amendment(s) adopted—HJ 00548

04/16/97 HOUSE Read third time—HJ 00564, Passed as amended, YEAS 116 NAYS 0—HJ 00564

04/17/97 SENATE In Messages

04/24/97 SENATE Received, referred to Community Affairs, Governmental Reform and Oversight, Ways and Means—SJ 00602

05/01/97 SENATE Withdrawn from Community Affairs, Governmental Reform and Oversight, Ways and Means—SJ 01125, Substituted for CS/2ND ENG/S 1248—SJ 01125, Read second and third times—SJ 01125, Passed, YEAS 39 NAYS 0—SJ 01125

05/01/97 HOUSE Ordered enrolled—HJ 01755

05/14/97 Signed by Officers and presented to Governor

05/30/97 Became Law without Governor's Signature, Chapter No 97-256, See also HB 927 (Ch 97-340)

H 1743 GENERAL BILL by Clemons (Similar S 2266)

Public Perspective Study Unit, creates Public Perspective Study Unit for Civil Justice Reform within Supreme Court, prescribes responsibilities & mission of study unit & guidelines re public forums on civil justice reform, requires report to Legislature Creates 240 385 Effective Date 07/01/1997

03/26/97 HOUSE Filed, Introduced—HJ 00340

04/04/97 HOUSE Referred to Civil Justice & Claims (JC), Finance & Taxation (FRC), Criminal Justice Appropriations—HJ 00485

04/09/97 HOUSE On Committee agenda—Civil Justice & Claims (JC), 04/15/97, 4 00 pm, 102-HOB—Not considered

05/02/97 HOUSE Carried over to 1998 Session pursuant to House Rule 96, In House Committee on Civil Justice & Claims (JC)

H 1745 JOINT RESOLUTION by Logan (Similar S 1378)

Suffrage & Elections/Felons, constitutional amendment to eliminate disqualification of convicted felon to vote & hold office Amends s 4, Art VI

03/26/97 HOUSE Filed, Introduced—HJ 00340

05/02/97 HOUSE Carried over to 1998 Session pursuant to House Rule 96, Introduced, not referred

H 1747 GENERAL BILL/1ST ENG by Fasano; Thrasher; Morrone, (CO-SPONSORS) Ritter; Jones; Heyman; Hill; Bitner; King; Feeney; Geller (Compare S 2200)

Par-mutuel Wagering, prescribes tax on handle for intertrack wagering, prescribes tax on handle for live pari-mutuel performances & for live thoroughbred performances, revises standing requirements for stallion awards, revises date for expiration of certain section, amends certain provision re greyhound purse requirements, etc Amends 550 0951-09514, 2625, abrogates repeal of 550 0951(3), 09511(2)(3) Effective Date Upon becoming law except as otherwise provided

03/26/97 HOUSE Filed

04/01/97 HOUSE Introduced—HJ 00366

04/04/97 HOUSE Referred to Regulated Services (EIC)—HJ 00485

04/10/97 HOUSE On Committee agenda—Regulated Services (EIC), 04/16/97, 3 00 pm, 314-HOB

04/16/97 HOUSE Comm Action—Favorable with 1 amendment(s) by Regulated Services (EIC)—HJ 00665

04/18/97 HOUSE Placed on Economic Impact Council Calendar—HJ 00665

04/24/97 HOUSE Read second time—HJ 00751, Amendment(s) adopted—HJ 00751

04/28/97 HOUSE Temporarily postponed, on Third Reading—HJ 01104

05/02/97 HOUSE Carried over to 1998 Session pursuant to House Rule 96, Placed on Economic Impact Council Calendar

H 1749 GENERAL BILL by Crow (Similar CS/S 1148)

Law Day/Law Week, designates "Law Day" & "Law Week" Creates 683 22 Effective Date Upon becoming law

03/26/97 HOUSE Filed

04/01/97 HOUSE Introduced—HJ 00366

04/16/97 HOUSE Referred to Civil Justice & Claims (JC)—HJ 00588

05/02/97 HOUSE Carried over to 1998 Session pursuant to House Rule 96, In House Committee on Civil Justice & Claims (JC)

H 1751 GENERAL BILL by Andrews (Compare H 0843, S 1730)

Schools/Subdivided Districts, authorizes creation of local governed subdistricts within county school district, provides for formation & purpose, provides for

CITATOR—BILLS INTRODUCED AND PASSED

(Citator reflects Florida Statute numbers listed in final passed bill—not necessarily final statutory placement. Verify with F.S. tracing tables.)

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373 061 H 1339
 373 0693 S 434(97-100), S 1428,
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 373 073 S 1412, S 1428,
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 373 0735 S 1428, S 1562,
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 373 079 S 1412, S 1562,
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 373 083 S 1430(97-70), H 829,
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 373 0831 S 1428, S 1562,
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 373 103 S 1428, H 716(97-160),
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 373 114 S 1428, H 716(97-160),
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 373 139 S 1412, H 715(97-160),
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 373 196 H 1695
 373 1961 H 1695
 373 1962 S 1338, H 715(97-160)
 373 1963 S 1428, H 715(97-160)
 373 1964 S 1338
 373 1965 S 428(VETOED)
 373 223 S 1428, S 1562,
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 373.236 S 1428, S 1562,
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 373 250 H 715(97-160), H 1119(97-164),
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 373 309 S 1252, S 1428,
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 373 315 S 1370
 373 326 S 1664
 373 4132 S 1280, H 1363
 373 4139 S 2428, H 1667
 373 414 S 1156, S 1468,
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 373 418 S 1428, H 715(97-160),
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 373 4211 S 422(97-96)
 373 441 S 678, S 1416,
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 373 4415 S 2428, H 1073(97-222),
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 373 456 S 1428, H 715(97-160),
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 → 373 461 S 1486(97-81), H 1733
 373 501 H 1379
 373 507 S 1428, S 1562,
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 373.596 S 1388, S 1428,
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 373 537 S 1412, H 1379
 373 59 S 418(97-94), S 678,
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 373 605 S 434(97-100), S 564

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374 9785 S 428(VETOED)
 374 986 S 422(97-96)

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375 314 S 422(97-96)
 375 315 H 1239

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 376 301 S 1064
 376 303 S 1064, S 1110,
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 376 306 S 422(97-96)
 376 307 S 1252, S 1428,
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 376 3071 S 1306(97-277), H 1067
 376 30711 S 434(97-100), S 1306(97-277),
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 376 3072 S 1306(97-277), H 1067
 376 3075 S 706
 376 3078 S 1064, H 1559
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 376 815 H 1067
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 376 84 S 1306(97-277), S 1936,
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 377 2425 S 550(97-49), H 669
 377 709 S 434(97-100)

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378 035 H 1073(97-222)
 378 101 S 434(97-100)
 378 4115 S 2428, H 1073(97-222),
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 378 601 S 584, H 1073(97-222)
 378 901 S 584, H 1073(97-222)

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380 05 S 1466, H 1641(97-253)
 380.051 S 1466, H 1641(97-253)
 380 06 S 1154(97-28), S 1466,
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 381 0011 S 436(97-101)
 381 0019 S 436(97-101)
 381.0021 S 552, H 1357(97-237)
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 381 00315 S 434(97-100)
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 381 004 S 434(97-100), S 436(97-101),
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 381 0051 S 436(97-101)
 381 0055 S 436(97-101), S 552,
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 381 0056 S 552, H 1357(97-237)
 381 0057 S 552, H 1357(97-237)
 381 006 S 1244, H 1805

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 381 0063 S 436(97-101)
 381 0064 S 436(97-101)
 381 0065 S 436(97-101), S 552,
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 381 0068 S 436(97-101)
 381 0072 S 436(97-101), S 1244,
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 381 0074 S 1244, H 1805
 381 00742 S 1244, H 1805
 381.00744 S 1244, H 1805
 381 00746 S 1244, H 1805
 381 0075 S 606, S 1244,
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 381 0076 S 1244, H 1805
 381 0077 H 1805
 381 0078 S 1244, H 1805
 381 008 S 436(97-101)
 381 0081 S 2436, H 1803(97-167)
 381 0084 S 436(97-101)
 381.0087 S 436(97-101)
 381 009 S 436(97-101)
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 381 0201 S 436(97-101)
 381 0203 S 436(97-101), S 552,
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 381 026 S 2142, S 2236,
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 381 0261 S 1882, S 2142,
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 381 0402 S 436(97-101)
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 381 0406 S 436(97-101), S 552,
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 381.04065 S 552, S 1960,
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 381.0407 S 436(97-101), S 552,
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 381 0408 S 1056(97-274), H 1863
 381 045 S 436(97-101)
 381 0602 S 436(97-101)
 381 60225 S 2142, H 1883
 381 6024 S 2458
 381 698 S 436(97-101), S 552,
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 381 81 S 428(VETOED), S 552,
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 H 1357(97-237), H 1925,
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 381 815 S 436(97-101)
 381 85 S 552, H 1357(97-237)
 381 87 S 552, H 1357(97-237)
 381 88 S 552, H 1357(97-237)
 381 89 S 552, H 1357(97-237)

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382 002 S 436(97-101), S 552,
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 382 003 S 552, H 1357(97-237)
 382 004 S 552, H 1357(97-237)
 382 005 S 552, H 1357(97-237)
 382 006 S 552, H 1357(97-237)
 382 007 S 552, H 1357(97-237)
 382 008 S 552, S 698,
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 382 011 S 552, H 1357(97-237)
 382 012 S 552, H 1357(97-237)

By Senator Dyer

14-1005-97

A bill to be entitled

An act relating to Lake Apopka restoration; amending s. 373.461, F.S.; providing for cost-sharing by the state, Zellwood Drainage and Water Control District, and the St. Johns River Water Management District; providing an appropriation; providing an effective date.

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

Section 1. Paragraphs (b) and (d) of subsection (4) of section 373.461, Florida Statutes, 1996 Supplement, are amended to read:

373.461 Lake Apopka improvement and management.--

(4) CONSTRUCTION OF STORMWATER MANAGEMENT SYSTEMS.--

(b) Consistent with the funding formula outlined in paragraph (a), the state will provide up to \$2 million, with the same amount being committed by both Zellwood and the district, for a total of \$6 million. These funds shall be used for the purpose of acquiring the necessary land for and constructing a stormwater management facility, not to exceed 600 acres in total size, for Zellwood's farm runoff, together with the necessary pumps and other infrastructure associated with such facilities, provided that Zellwood's contribution shall be used for project purposes other than acquiring land. If the total cost of the facilities exceeds \$6 million, the costs exceeding \$6 million shall be contributed by the state, Zellwood, and the district under the funding formula outlined in paragraph (a).

(d) Construction of the stormwater retention and treatment facilities provided for in this section shall begin

1 within 90 days after acquisition of interests in land
2 necessary for the facilities and the district's delivery of
3 the design of the facilities to Zellwood, and completed within
4 1 year thereafter. After completion of the facilities,
5 Zellwood shall be responsible for operation and maintenance so
6 long as the facilities are used by Zellwood.

7 Section 2. In addition to the sum of \$20 million
8 appropriated in fiscal year 1996-1997, the sum of \$45 million
9 is appropriated from the General Revenue Fund to the St. Johns
10 River Water Management District for fiscal year 1997-1998,
11 both sums to be used for the purpose of purchasing lands
12 described in section 373.461(5)(a), Florida Statutes, and
13 their related facilities.

14 Section 3. This act shall take effect July 1, 1997.

15 *****

16
17 SENATE SUMMARY

18 Provides for cost-sharing by the state, Zellwood Drainage
19 and Water Control District, and the St. Johns River Water
20 Management District in the restoration of Lake Apopka.
21 Provides an appropriation to the St. Johns River Water
22 Management District.

By the Committee on Natural Resources and Senator Dyer

312-1682-97

1 A bill to be entitled
2 An act relating to Lake Apopka restoration;
3 amending s. 373.461, F.S.; providing that
4 interim phosphorus abatement measures apply
5 unless certain conditions are met; providing
6 that construction of certain stormwater
7 facilities will be necessary unless certain
8 conditions are met; providing for cost-sharing
9 for the cost of certain facilities; limiting
10 the price for acquisition of certain lands;
11 providing for the deposit of proceeds from the
12 sale of tangible personal property and for the
13 use of such funds; providing for the
14 establishment of Northwest Orange County
15 Redevelopment Commission to develop a
16 redevelopment plan for the impacted area;
17 creating s. 290.0067, F.S.; providing for
18 enterprise zone designation for certain
19 communities impacted by Lake Apopka land
20 acquisition; providing an appropriation;
21 providing an effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

24
25 Section 1. Paragraph (e) of subsection (1), paragraphs
26 (a), (b), and (d), of subsection (4), and paragraphs (c) and
27 (e) of subsection (5) of section 373.461, Florida Statutes,
28 are amended, and paragraphs (f) and (g) are added to
29 subsection (5) of that section, to read:

30 373.461 Lake Apopka improvement and management.--

31 (1) FINDINGS AND INTENT.--

1 ~~(e) If funds cannot be identified for acquisition of~~
2 ~~these agricultural lands,~~ It is the Legislature's intent to
3 provide a process for development of phosphorus discharge
4 limitations that will bring such discharges into compliance
5 with state water quality standards and to provide for interim
6 phosphorus abatement measures designed to further reduce
7 phosphorus discharges from the Zellwood Drainage and Water
8 Control District, which is the largest agricultural entity
9 within the Lake Apopka Basin, unless both of the timeframes
10 specified in paragraph (4)(a) regarding purchase agreements
11 and completion of purchases are met. The Legislature finds
12 that it is in the public interest to jointly share in the cost
13 of implementing such interim phosphorus reduction measures
14 with Zellwood.

15 (4) CONSTRUCTION OF STORMWATER MANAGEMENT SYSTEMS.--

16 ~~(a) It is the intent of the Legislature that in the~~
17 ~~event no funding mechanisms to purchase all the lands within~~
18 ~~Zellwood are in place by July 1, 1997,~~ construction of
19 stormwater management facilities to store, treat, and recycle
20 Zellwood's agricultural stormwater runoff will be necessary
21 during the interim period while discharge limitations are
22 being established for Lake Apopka, unless both of the
23 following are met:

24 1. Agreements to purchase all the lands within
25 Zellwood are executed by September 30, 1997, or a later
26 execution deadline established by the United States for such
27 agreements before reallocation of Commodity Credit Corporation
28 funds made available to acquire Wetland Reserve program
29 conservation easements within the Lake Apopka Partnership
30 project area; and
31

1 2. All such purchases are completed pursuant to the
2 terms of such agreements.

3
4 The Legislature finds that it is in the public interest for
5 state, regional, and local revenue sources to be used along
6 with Zellwood's revenue sources to finance the costs of
7 acquiring land and constructing such facilities. One-third of
8 the cost of the facilities shall be contributed by Zellwood,
9 one-third by the state, and one-third by the district.

10 (b) Consistent with the funding formula outlined in
11 paragraph (a), the state will provide up to \$2 million, with
12 the same amount being committed by both Zellwood and the
13 district, for a total of \$6 million. These funds shall be used
14 for the purpose of acquiring the necessary land for and
15 constructing a stormwater management facility, not to exceed
16 600 acres in total size, for Zellwood's farm runoff, together
17 with the necessary pumps and other infrastructure associated
18 with such facilities, provided that Zellwood's contribution
19 shall be used for project purposes other than acquiring land.
20 If the total cost of the facilities exceeds \$6 million, the
21 costs exceeding \$6 million shall be contributed by the state,
22 Zellwood, and the district under the funding formula outlined
23 in paragraph (a).

24 (d) Construction of the stormwater retention and
25 treatment facilities provided for in this section shall begin
26 within 90 days after acquisition of interests in land
27 necessary for the facilities and the district's delivery of
28 the design of the facilities to Zellwood, and shall be
29 completed within 1 year thereafter. After completion of the
30 facilities, Zellwood shall be responsible for operation and
31 maintenance so long as the facilities are used by Zellwood.

1 (5) PURCHASE OF AGRICULTURAL LANDS.--

2 (c) The district shall explore the availability of
3 funding from all sources, including any federal, state,
4 regional, and local land acquisition funding programs, to
5 purchase the agricultural lands described in paragraph (a). It
6 is the Legislature's intent that, if such funding sources can
7 be identified, acquisition of the lands described in paragraph
8 (a) may be undertaken by the district to purchase these
9 properties from willing sellers. However, the purchase price
10 paid for acquisition of such lands that were in active
11 cultivation during 1996 shall not exceed \$4,000 per acre for
12 those lands characterized predominantly by muck soils and
13 \$3,000 per acre for those lands characterized predominantly by
14 mineral soils. These maximum purchase price limitations shall
15 not include, nor be applicable to, that portion of the
16 purchase price attributable to consideration of income
17 described in paragraph (b), that portion attributable to
18 related facilities, or closing costs.

19 (e) If all the lands within Zellwood are purchased in
20 accordance with this section prior to expiration of the
21 consent agreement between Zellwood and the district, Zellwood
22 shall be reimbursed for any costs described in subsection (4).

23 (f) Tangible personal property acquired by the
24 district as part of related facilities pursuant to this
25 section, and classified as surplus by the district, shall be
26 sold by the Department of Management Services. The Department
27 of Management Services shall deposit the proceeds of such sale
28 in the Economic Development Trust Fund in the Executive Office
29 of the Governor. The proceeds shall be used for the purpose of
30 providing economic and infrastructure development in portions
31 of northwestern Orange County which will be adversely affected

1 economically due to the acquisition of lands pursuant to this
2 subsection.

3 (g) To administer the proceeds derived from sale of
4 tangible personal property described in paragraph (f), there
5 is established the "Northwest Orange County Redevelopment
6 Commission." Membership of this commission shall consist of
7 residents of the redevelopment area and shall be constituted
8 as follows: two members appointed by the President of the
9 Senate; two members appointed by the Speaker of the House of
10 Representatives; and three members appointed by the Governor.
11 The commission shall continue in existence for a period of 5
12 years from the effective date of this paragraph. All members
13 of the commission shall serve for the full 5 years. Members of
14 the commission shall serve without compensation, but may be
15 reimbursed for travel and other reasonable expenses directly
16 associated with operation of the commission. The commission
17 shall develop a redevelopment plan for the impacted area that
18 is consistent with the approved comprehensive plan for Orange
19 County, and shall submit this plan to the President of the
20 Senate, the Speaker of the House of Representatives, and the
21 Governor no later than December 31, 1998.

22 Section 2. Section 290.0067, Florida Statutes, is
23 created to read:

24 290.0067 Enterprise zone designation for communities
25 impacted by Lake Apopka land acquisition.--The counties of
26 Lake or Orange or the municipalities of Zellwood, Apopka,
27 Winter Garden, or Oakland may apply to the Office of Tourism,
28 Trade and Economic Development for enterprise zone
29 designations of certain areas suffering adverse economic
30 impacts due to governmental acquisition of Lake Apopka farm
31 lands pursuant to s. 373.461. The application must be

1 submitted by December 31, 1998, and must comply with the
2 requirements of s. 290.0055, except s. 290.0055(3).
3 Notwithstanding the provisions of s. 290.0065 limiting the
4 total number of enterprise zones designated and the number of
5 enterprise zones within a population category, the Office of
6 Tourism, Trade and Economic Development shall establish the
7 initial effective date of any enterprise zone designated
8 pursuant to this section based upon when unemployment will
9 occur due to the cessation of farming on lands acquired
10 pursuant to s. 373.461. Any such zone shall terminate 5 years
11 following the established effective date.

12 Section 3. In addition to the sum of \$20 million
13 appropriated in fiscal year 1996-1997, the sum of \$45 million
14 is appropriated from the General Revenue Fund to the St. Johns
15 River Water Management District for fiscal year 1997-1998,
16 both sums to be used for the purpose of purchasing lands
17 described in section 373.461(5)(a), Florida Statutes, and
18 their related facilities. The \$45-million appropriation may be
19 used only to acquire lands, and their related facilities, for
20 which agreements for purchase have been executed by September
21 30, 1997, or such later execution deadline as is established
22 by the United States for such agreements before reallocation
23 of Commodity Credit Corporation funds that have been made
24 available to acquire Wetland Reserve Program conservation
25 easements on lands within the Lake Apopka Partnership Project
26 area.

27 Section 4. This act shall take effect upon becoming a
28 law.

STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
 COMMITTEE SUBSTITUTE FOR
Senate Bill 1486

The committee substitute amends s. 373.461(1), F.S., relating to legislative intent, to provide that it is the Legislature's intent to provide a process for development of phosphorus discharge limitations and to provide for interim phosphorus abatement measures designed to further reduce phosphorus discharges from the Zellwood Drainage and Water Control District unless both of the timeframes specified in paragraph (4)(a) regarding purchase agreements and completion of purchases are met.

The conditions specified in s. 373.461(4)(a), F.S., are that agreements to purchase all the lands within Zellwood are executed by September 30, 1997, or such later execution deadline which may be established by the United States for such agreements before reallocation of Commodity Credit Corporation funds made available to acquire Wetland Reserve program conservation easements within the Lake Apopka Partnership Project area; and all such purchases are completed pursuant to the terms of such agreements.

The construction of the stormwater retention and treatment facilities shall begin within 90 days after acquisition of interests in land for the facilities and the district's delivery of the design of the facilities to Zellwood.

The purchase price paid for acquisition of lands which were in active cultivation during the year 1996 shall not exceed \$4,000 per acre for those lands characterized predominantly by muck soils and \$3,000 per acre for those lands characterized predominantly by mineral soils. These maximum purchase price limitations do not include, and are not applicable to, that portion of the purchase price attributable to consideration of certain income, or that portion attributable to related facilities, or closing costs.

Certain tangible personal property shall be sold by the Department of Management Services. The Department of Management Services must deposit the proceeds from such sales into the Economic Development Trust Fund in the Executive Office of the Governor. Specifies the use of such funds.

The Northwest Orange County Redevelopment Commission is created to administer the proceeds derived from the sale of tangible personal property.

Certain counties and municipalities may apply to the Office of Tourism, Trade and Economic Development for enterprise zone designations.

The \$45 million appropriation may only be used to acquire lands and their related facilities, for which agreements for purchase have been executed by September 30, 1997.

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)

Date March 19, 1997 Revised _____

Subject Lake Apopka Restoration

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1	<u>Branning</u>	<u>Voigt</u>	<u>NR</u>	<u>Favorable/CS</u>
2	_____	_____	<u>WM</u>	_____
3	_____	_____	_____	_____
4	_____	_____	_____	_____
5	_____	_____	_____	_____

I. Summary:

This bill provides that it is the Legislature's intent construction of the stormwater treatment facilities will be necessary unless certain conditions are met. If the total cost of certain stormwater facilities exceed \$6 million, the costs exceeding \$6 million will be contributed by the state, Zellwood, and the St. Johns River Water Management District. Limits the per-acre amount to be paid for certain lands. Provides for the sale of certain tangible personal property. Creates the Northwest Orange County Redevelopment Commission to administer the proceeds derived from the sale of such personal property. Provides for the creation of certain enterprise zones. Provides an appropriation.

This bill amends s. 373.461, F.S.

II. Present Situation:

Lake Apopka is a large shallow lake located in Lake and Orange Counties in central Florida. Its surface area covers approximately 30,000 acres and has an average depth of 6 feet.

Until the 1950s, Lake Apopka attracted attention as a bass fishing lake. However, natural and manmade events have transformed this once beautiful lake into what is considered Florida's most polluted lake. The bass and most of the native plant species have disappeared and the lake is dominated by a phytoplankton-based community, or algae. This algae has flourished on the high levels of phosphorus in the lake.

The beginning of the lake's destruction probably began in the 1880s with the construction of the Apopka-Beauclair Canal which ultimately diverted the water leaving Lake Apopka into Lake Beauclair. This canal altered the hydrology of the lake. In the 1920s, the town of Winter Garden

began discharging sewage into the lake and citrus processing plants began discharging waste water into the lake. Also, drainage waters from muck farms bordering the lake began affecting the lake in the 1940s.

A hurricane in 1947 uprooted the majority of the large native aquatic plants in Lake Apopka which created a buildup of muck on the lake bottom. The large native aquatic plants have never been reestablished. Efforts to control the invasive nonnative water hyacinths by spraying contributed to the muck layer on the lake bottom.

The pollutants of most concern to the lake are phosphorus, nitrogen, and carbon. The high phosphorus level is being attributed to the increased farming efforts which flourished around World War II. These farms, for the most part, are lower than the lake and therefore must pump the farm water back into the lake. This water contains nutrients from the fertilizers that are used for the crops. These nutrients help the algae thrive and continue to choke off natural vegetation which provides a habitat for bass and other fish. Also, the dikes and levees around the lake prevent the fish from entering the marshy areas which are traditional spawning grounds.

Lake Apopka is the headwaters of the Ocklawaha River. Lake Apopka is also connected to Lake Dora, Lake Beauclair, Lake Harns, Lake Eustis, and others either naturally or through the Apopka-Beauclair Canal. The polluted waters of Lake Apopka therefore are adversely affecting these water bodies.

Efforts to restore Lake Apopka have been underway since the 1970s. In 1976, the Department of Environmental Regulation (DER) accepted responsibility for an Environmental Protection Agency (EPA) Clean Lakes grant which was originally awarded to the Florida Game and Freshwater Fish Commission. This grant was used to fund preliminary studies in the overall goal of restoring Lake Apopka. In the spring of 1978, the EPA and the DER mutually agreed to prepare an environmental impact statement. The environmental impact statement was begun in May 1978, and revisited the entire question of the most effective method of restoring Lake Apopka. The alternatives considered included no action, enhanced fluctuation, chemical sedimentation, dredging, nutrient diversion, flushing, aeration, and drawdown. The EPA's final Environmental Impact Statement for Lake Apopka was issued in September 1979, but no action occurred.

Chapter 85-148, L O F, directed the St. Johns River Water Management District to engage in a pilot project to determine a technically and economically feasible method of restoring Lake Apopka to Class III water quality standards.

In 1987, the Legislature created the Surface Water Improvement and Management (SWIM) Act. This act specifically named Lake Apopka as one of the water bodies which needed priority cleanup. The act directed the five water management districts to develop and implement plans to improve the water quality of key water bodies in the state. The Department of Environmental Protection oversees the development and implementation of the SWIM plans. The SWIM Act, however, did not provide funding for this program. In each of the first 3 years of the program, the Legislature appropriated \$15 million from the state's General Revenue Fund. That funding

declined in the early 1990s because of shortfalls in general revenue. In fiscal years 1993-1994 and 1994-1995, the SWIM program was funded from a portion of the proceeds derived from the Advance Disposal Fee.

The St. Johns River Water Management District has published numerous reports, research documents, and plans on how to restore the lake. The district has spent over \$30 million over the last decade on Lake Apopka.

The St. Johns River Water Management District proposed a rule (Rule 40C-61, F.A.C.), which provided for specific numerical nutrient standards, particularly for phosphorus, for the Lake Apopka Chain. The Zellwood Drainage and Water Control District subsequently challenged the rule as an invalid exercise of delegated legislative authority. In August of 1995, the hearing officer ruled that the proposed rule was an invalid exercise of delegated legislative authority.

In 1996, the Legislature enacted ch. 96-207, L.O.F., which provided that the acquisition of certain agricultural lands around Lake Apopka is in the public interest. If funds could not be identified for acquisition of these agricultural lands, it was the Legislature's intent to provide a process for development of phosphorus-discharge limitations that would bring such discharges into compliance with state water quality standards and to provide for interim phosphorus abatement measures designed to further reduce phosphorus discharges from the Zellwood Drainage and Water Control District. The state would jointly share in the cost of implementing such interim phosphorus reduction measures with Zellwood.

The St. Johns River Water Management District was required to adopt a rule establishing a phosphorus criterion for Lake Apopka. The district adopted a phosphorus criterion of 55 parts per billion. The district is currently in the process of adopting a discharge limitation rule for all permits issued by the district for discharges into Lake Apopka, the Lake Level Canal, and the McDonald Canal.

If no funding mechanisms to purchase all the lands within Zellwood were in place by July 1, 1997, construction of stormwater management facilities to store, treat, and recycle Zellwood's agricultural stormwater runoff will be necessary during the interim period while discharge limitations are being established for Lake Apopka. One-third of the cost of the facilities shall be contributed by Zellwood, one-third by the state, and one-third by the district. The state will provide \$2 million, Zellwood will provide \$2 million, and the district will provide \$2 million for a total of \$6 million. These funds are to be used to acquire the necessary land for and constructing a stormwater management facility not to exceed 600 acres for Zellwood's farm runoff.

The district is responsible for design of the facilities and acquiring any necessary interest in land for the facilities. Zellwood is responsible for the construction of the facilities using the district's design.

The Legislature found that it is in the public interest to acquire lands in agricultural production, along with their related facilities, which contribute to phosphorus discharges to Lake Apopka, for

the purpose of improving water quality in Lake Apopka. These lands consist of those farming entities on Lake Apopka having consent and settlement agreements with the district and those sand land farms discharging indirectly to Lake Apopka through Lake Level Canal, Apopka-Beauclair Canal, or McDonald Canal. The district is granted the power of eminent domain on these properties.

As provided in the General Appropriations Act for FY 1996-1997, there was appropriated from funds deposited in the Conservation and Recreation Lands (CARL) Trust Fund the sum of \$12 million to the St. Johns River Water Management District to be used for purpose of purchasing Lake Apopka lands. In addition, the district was directed to use \$8 million from its share of funds from the Water Management Lands Trust Fund (Save Our Rivers) for the purpose of purchasing such lands.

III. Effect of Proposed Changes:

This bill amends s. 373.461(1), F.S., relating to legislative intent, to provide that it is the Legislature's intent to provide a process for development of phosphorus discharge limitations and to provide for interim phosphorus abatement measures designed to further reduce phosphorus discharges from the Zellwood Drainage and Water Control District unless both of the timeframes specified in paragraph 373.461(4)(a), F.S., regarding purchase agreements and completion of purchases are met. Those conditions are that agreements to purchase all the lands within Zellwood are executed by September 30, 1997, or such later execution deadline which may be established by the United States for such agreements before reallocation of Commodity Credit Corporation funds made available to acquire Wetland Reserve program conservation easements within the Lake Apopka Partnership Project Area, and all such purchases are completed pursuant to the terms of such agreements.

This bill also provides that if the total cost of the stormwater management facilities exceed \$6 million, the costs exceeding \$6 million shall be contributed by the state, Zellwood, and the St. Johns River Water Management District (district) under the funding formula provided in s. 373.461(4)(a), F.S.

Construction of the stormwater retention and treatment facilities shall begin within 90 days after acquisition of interests in land necessary for the facilities and the district's delivery of the design of the facilities to Zellwood.

The purchase price paid for acquisition of lands which were in active cultivation during the year 1996 shall not exceed \$4,000 per acre for those lands characterized predominantly by muck soils and \$3,000 per acre for those lands characterized predominantly by mineral soils. These maximum purchase price limitations shall not include, nor be applicable to, that portion of the purchase price attributable to consideration of certain income, or that portion attributable to related facilities, or closing costs.

Tangible personal property acquired by the district as part of related facilities and classified as surplus by the district, must be sold by the Department of Management Services. The Department of Management Services shall deposit the proceeds of such sale in the Economic Development Trust Fund in the Executive Office of the Governor to be used for providing economic and infrastructure development in portions of northwestern Orange County which will be adversely affected economically due to the acquisition of the Lake Apopka lands.

The bill creates the Northwest Orange County Redevelopment Commission to administer the proceeds derived from the sale of the personal property. The membership shall consist of residents of the redevelopment area and shall be as follows:

- Two members appointed by the President of the Senate,
- Two members appointed by the Speaker of the House, and
- Three members appointed by the Governor.

The commission shall be in existence for 5 years and each member is to serve for the full 5 years. The duties of the commission are specified.

Section 290.0067, F.S., is created to provide that the counties of Lake or Orange or the municipalities of Zellwood, Apopka, Winter Garden, or Oakland may apply to the Office of Tourism, Trade and Economic Development for enterprise zone designations of certain areas suffering adverse economic impacts due to governmental acquisition of Lake Apopka farm lands.

The bill also provides that in addition to the sum of \$20 million that was appropriated in FY 1996-1997, the sum of \$45 million is appropriated from the General Revenue Fund to the St. Johns River Water Management District for FY 1997-1998, both sums to be used for the purpose of purchasing lands described in s. 373.461(5)(a), F.S., and their related facilities. The \$45 million appropriation may only be used to acquire lands and their related facilities, for which agreements for purchase have been executed by September 30, 1997, or such later execution deadline which may be established by the United States for such agreements before reallocation of Commodity Credit Corporation funds which have been made available to acquire Wetland Reserve Program conservation easements on lands with the Lake Apopka Partnership Project area.

This act takes effect upon becoming a law.

IV. Constitutional Issues:

A Municipality/County Mandates Restrictions.

None

B Public Records/Open Meetings Issues

None

C Trust Funds Restrictions

None

D Other Constitutional Issues

The creation of the Northwest Orange County Redevelopment Commission, as provided for in this bill, appears to violate two provisions in the State Constitution. Art. II, s. 3, of the State Constitution provides for the separation of powers among the three branches of the government. This bill directs the commission to administer the proceeds of the sale of tangible personal property while having four members of the commission appointed by the Legislature. This problem could be overcome by having the Governor appoint all the members of the commission, or by providing that the commission would be strictly advisory in nature and have no substantive authority such as administering the proceeds of the funds.

The second issue arises regarding the commission members' terms of office. The bill provides that the members are to serve for the life of the commission, which is 5 years. Art. III, s. 13 of the State Constitution provides "that no office shall be created the term of which shall exceed four years except as provided herein."

V. Economic Impact and Fiscal Note:**A Tax/Fee Issues**

None

B Private Sector Impact.

The additional appropriation of \$45 million is anticipated to provide the necessary funds to enable the St. Johns River Water Management District to complete the purchase agreements with the outstanding property owners around Lake Apopka.

The sale of tangible personal property is to be used to provide economic and infrastructure development in the impacted portions of northwestern Orange County. The revenue from the sale of such property is estimated to be \$5-\$10 million.

C Government Sector Impact

In addition to the \$20 million that was appropriated from the Conservation and Recreation Lands (CARL) Trust Fund and the Save Our Rivers Trust Fund in 1996, the St. Johns River

Water Management District received an additional \$26 million in federal funds for the purpose of buying the Apopka area farmlands. This money, however, has some strings attached. In order to use these funds, the district must have the property owners under contract to sell by October 1, 1997, or the money not under contract reverts back to Washington. It is hoped that the appropriation contained in this bill will be sufficient to complete the buyout and have the contracts signed before the October deadline.

Also, if for some reason the total cost of the construction of the stormwater management systems exceeds \$6 million, the original funding formula for this construction which provides that the cost be split three ways among the state, the district, and Zellwood would also apply to any amount over \$6 million.

The Northwest Orange County Redevelopment Commission members are to serve without compensation, but would be entitled to reimbursement for travel and other reasonable expenses. It is unclear as to which entity would be responsible for staffing this commission and which entity would be responsible for the travel and other costs that may be incurred by the commission members.

VI. Technical Deficiencies:

None

VII. Related Issues:

None

VIII. Amendments:

None

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)

Date March 27, 1997 Revised _____

Subject Lake Apopka Restoration

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1	<u>Branning</u>	<u>Voigt</u>	<u>NR</u>	<u>Favorable/CS</u>
2	<u>Akins</u>	<u>Smith</u>	<u>WM</u>	<u>Favorable</u>
3	<u> </u>	<u> </u>	<u> </u>	<u> </u>
4	<u> </u>	<u> </u>	<u> </u>	<u> </u>
5	<u> </u>	<u> </u>	<u> </u>	<u> </u>

I. Summary:

This bill provides that it is the Legislature's intent construction of the stormwater treatment facilities will be necessary unless certain conditions are met. If the total cost of certain stormwater facilities exceed \$6 million, the costs exceeding \$6 million will be contributed by the state, Zellwood, and the St. Johns River Water Management District. Limits the per-acre amount to be paid for certain lands. Provides for the sale of certain tangible personal property. Creates the Northwest Orange County Redevelopment Commission to administer the proceeds derived from the sale of such personal property. Provides for the creation of certain enterprise zones. Provides an appropriation.

This bill amends section 373.461, Florida Statutes.

II. Present Situation:

Lake Apopka is a large shallow lake located in Lake and Orange Counties in central Florida. Its surface area covers approximately 30,000 acres and has an average depth of 6 feet.

Until the 1950s, Lake Apopka attracted attention as a bass fishing lake. However, natural and manmade events have transformed this once beautiful lake into what is considered Florida's most polluted lake. The bass and most of the native plant species have disappeared and the lake is dominated by a phytoplankton-based community, or algae. This algae has flourished on the high levels of phosphorus in the lake.

The beginning of the lake's destruction probably began in the 1880s with the construction of the Apopka-Beauclair Canal which ultimately diverted the water leaving Lake Apopka into Lake Beauclair. This canal altered the hydrology of the lake. In the 1920s, the town of Winter Garden

began discharging sewage into the lake and citrus processing plants began discharging waste water into the lake. Also, drainage waters from muck farms bordering the lake began affecting the lake in the 1940s.

A hurricane in 1947 uprooted the majority of the large native aquatic plants in Lake Apopka which created a buildup of muck on the lake bottom. The large native aquatic plants have never been reestablished. Efforts to control the invasive nonnative water hyacinths by spraying contributed to the muck layer on the lake bottom.

The pollutants of most concern to the lake are phosphorus, nitrogen, and carbon. The high phosphorus level is being attributed to the increased farming efforts which flourished around World War II. These farms, for the most part, are lower than the lake and therefore must pump the farm water back into the lake. This water contains nutrients from the fertilizers that are used for the crops. These nutrients help the algae thrive and continue to choke off natural vegetation which provides a habitat for bass and other fish. Also, the dikes and levees around the lake prevent the fish from entering the marshy areas which are traditional spawning grounds.

Lake Apopka is the headwaters of the Ocklawaha River. Lake Apopka is also connected to Lake Dora, Lake Beauclair, Lake Harris, Lake Eustis, and others either naturally or through the Apopka-Beauclair Canal. The polluted waters of Lake Apopka therefore are adversely affecting these water bodies.

Efforts to restore Lake Apopka have been underway since the 1970s. In 1976, the Department of Environmental Regulation (DER) accepted responsibility for an Environmental Protection Agency (EPA) Clean Lakes grant which was originally awarded to the Florida Game and Freshwater Fish Commission. This grant was used to fund preliminary studies in the overall goal of restoring Lake Apopka. In the spring of 1978, the EPA and the DER mutually agreed to prepare an environmental impact statement. The environmental impact statement was begun in May 1978, and revisited the entire question of the most effective method of restoring Lake Apopka. The alternatives considered included no action, enhanced fluctuation, chemical sedimentation, dredging, nutrient diversion, flushing, aeration, and drawdown. The EPA's final Environmental Impact Statement for Lake Apopka was issued in September 1979, but no action occurred.

Chapter 85-148, L O F, directed the St. Johns River Water Management District to engage in a pilot project to determine a technically and economically feasible method of restoring Lake Apopka to Class III water quality standards.

In 1987, the Legislature created the Surface Water Improvement and Management (SWIM) Act. This act specifically named Lake Apopka as one of the water bodies which needed priority cleanup. The act directed the five water management districts to develop and implement plans to improve the water quality of key water bodies in the state. The Department of Environmental Protection oversees the development and implementation of the SWIM plans. The SWIM Act, however, did not provide funding for this program. In each of the first 3 years of the program, the Legislature appropriated \$15 million from the state's General Revenue Fund. That funding

declined in the early 1990s because of shortfalls in general revenue. In fiscal years 1993-1994 and 1994-1995, the SWIM program was funded from a portion of the proceeds derived from the Advance Disposal Fee.

The St. Johns River Water Management District has published numerous reports, research documents, and plans on how to restore the lake. The district has spent over \$30 million over the last decade on Lake Apopka.

The St. Johns River Water Management District proposed a rule (Rule 40C-61, F.A.C.), which provided for specific numerical nutrient standards, particularly for phosphorus, for the Lake Apopka Chain. The Zellwood Drainage and Water Control District subsequently challenged the rule as an invalid exercise of delegated legislative authority. In August of 1995, the hearing officer ruled that the proposed rule was an invalid exercise of delegated legislative authority.

In 1996, the Legislature enacted ch. 96-207, L.O.F., which provided that the acquisition of certain agricultural lands around Lake Apopka is in the public interest. If funds could not be identified for acquisition of these agricultural lands, it was the Legislature's intent to provide a process for development of phosphorus-discharge limitations that would bring such discharges into compliance with state water quality standards and to provide for interim phosphorus abatement measures designed to further reduce phosphorus discharges from the Zellwood Drainage and Water Control District. The state would jointly share in the cost of implementing such interim phosphorus reduction measures with Zellwood.

The St. Johns River Water Management District was required to adopt a rule establishing a phosphorus criterion for Lake Apopka. The district adopted a phosphorus criterion of 55 parts per billion. The district is currently in the process of adopting a discharge limitation rule for all permits issued by the district for discharges into Lake Apopka, the Lake Level Canal, and the McDonald Canal.

If no funding mechanisms to purchase all the lands within Zellwood were in place by July 1, 1997, construction of stormwater management facilities to store, treat, and recycle Zellwood's agricultural stormwater runoff will be necessary during the interim period while discharge limitations are being established for Lake Apopka. One-third of the cost of the facilities shall be contributed by Zellwood, one-third by the state, and one-third by the district. The state will provide \$2 million, Zellwood will provide \$2 million, and the district will provide \$2 million for a total of \$6 million. These funds are to be used to acquire the necessary land for and constructing a stormwater management facility not to exceed 600 acres for Zellwood's farm runoff.

The district is responsible for design of the facilities and acquiring any necessary interest in land for the facilities. Zellwood is responsible for the construction of the facilities using the district's design.

The Legislature found that it is in the public interest to acquire lands in agricultural production, along with their related facilities, which contribute to phosphorus discharges to Lake Apopka, for

the purpose of improving water quality in Lake Apopka. These lands consist of those farming entities on Lake Apopka having consent and settlement agreements with the district and those sand land farms discharging indirectly to Lake Apopka through Lake Level Canal, Apopka-Beauclair Canal, or McDonald Canal. The district is granted the power of eminent domain on these properties.

As provided in the General Appropriations Act for FY 1996-1997, there was appropriated from funds deposited in the Conservation and Recreation Lands (CARL) Trust Fund the sum of \$12 million to the St. Johns River Water Management District to be used for purpose of purchasing Lake Apopka lands. In addition, the district was directed to use \$8 million from its share of funds from the Water Management Lands Trust Fund (Save Our Rivers) for the purpose of purchasing such lands.

III. Effect of Proposed Changes:

This bill amends s. 373.461(1), F.S., relating to legislative intent, to provide that it is the Legislature's intent to provide a process for development of phosphorus discharge limitations and to provide for interim phosphorus abatement measures designed to further reduce phosphorus discharges from the Zellwood Drainage and Water Control District unless both of the timeframes specified in paragraph 373.461(4)(a), F.S., regarding purchase agreements and completion of purchases are met. Those conditions are that agreements to purchase all the lands within Zellwood are executed by September 30, 1997, or such later execution deadline which may be established by the United States for such agreements before reallocation of Commodity Credit Corporation funds made available to acquire Wetland Reserve program conservation easements within the Lake Apopka Partnership Project Area, and all such purchases are completed pursuant to the terms of such agreements.

This bill also provides that if the total cost of the stormwater management facilities exceed \$6 million, the costs exceeding \$6 million shall be contributed by the state, Zellwood, and the St. Johns River Water Management District (district) under the funding formula provided in s. 373.461(4)(a), F.S.

Construction of the stormwater retention and treatment facilities shall begin within 90 days after acquisition of interests in land necessary for the facilities and the district's delivery of the design of the facilities to Zellwood.

The purchase price paid for acquisition of lands which were in active cultivation during the year 1996 shall not exceed \$4,000 per acre for those lands characterized predominantly by muck soils and \$3,000 per acre for those lands characterized predominantly by mineral soils. These maximum purchase price limitations shall not include, nor be applicable to, that portion of the purchase price attributable to consideration of certain income, or that portion attributable to related facilities, or closing costs.

Tangible personal property acquired by the district as part of related facilities and classified as surplus by the district, must be sold by the Department of Management Services. The Department of Management Services shall deposit the proceeds of such sale in the Economic Development Trust Fund in the Executive Office of the Governor to be used for providing economic and infrastructure development in portions of northwestern Orange County which will be adversely affected economically due to the acquisition of the Lake Apopka lands.

The bill creates the Northwest Orange County Redevelopment Commission to administer the proceeds derived from the sale of the personal property. The membership shall consist of residents of the redevelopment area and shall be as follows:

- Two members appointed by the President of the Senate,
- Two members appointed by the Speaker of the House, and
- Three members appointed by the Governor.

The commission shall be in existence for 5 years and each member is to serve for the full 5 years. The duties of the commission are specified.

Section 290.0067, F.S., is created to provide that the counties of Lake or Orange or the municipalities of Zellwood, Apopka, Winter Garden, or Oakland may apply to the Office of Tourism, Trade and Economic Development for enterprise zone designations of certain areas suffering adverse economic impacts due to governmental acquisition of Lake Apopka farm lands.

The bill also provides that in addition to the sum of \$20 million that was appropriated in FY 1996-1997, the sum of \$45 million is appropriated from the General Revenue Fund to the St. Johns River Water Management District for FY 1997-1998, both sums to be used for the purpose of purchasing lands described in s. 373.461(5)(a), F.S., and their related facilities. The \$45 million appropriation may only be used to acquire lands and their related facilities, for which agreements for purchase have been executed by September 30, 1997, or such later execution deadline which may be established by the United States for such agreements before reallocation of Commodity Credit Corporation funds which have been made available to acquire Wetland Reserve Program conservation easements on lands with the Lake Apopka Partnership Project area.

This act takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions

None

B Public Records/Open Meetings Issues:

None

C. Trust Funds Restrictions

None

D Other Constitutional Issues

The creation of the Northwest Orange County Redevelopment Commission, as provided for in this bill, appears to violate two provisions in the State Constitution Art II, s 3, of the State Constitution provides for the separation of powers among the three branches of the government This bill directs the commission to administer the proceeds of the sale of tangible personal property while having four members of the commission appointed by the Legislature This problem could be overcome by having the Governor appoint all the members of the commission, or by providing that the commission would be strictly advisory in nature and have no substantive authority such as administering the proceeds of the funds.

The second issue arises regarding the commission members' terms of office The bill provides that the members are to serve for the life of the commission, which is 5 years Art III, s 13 of the State Constitution provides "that no office shall be created the term of which shall exceed four years except as provided herein "

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues**

The creation of additional enterprise zones allowed in this bill has a negative indeterminate fiscal impact on sale and corporate income tax The impact is indeterminate because the bill does not specify how many zones can be created

B Private Sector Impact

The additional appropriation of \$45 million is anticipated to provide the necessary funds to enable the St Johns River Water Management District to complete the purchase agreements with the outstanding property owners around Lake Apopka

The sale of tangible personal property is to be used to provide economic and infrastructure development in the impacted portions of northwestern Orange County The revenue from the sale of such property is estimated to be \$5-\$10 million

C Government Sector Impact

In addition to the \$20 million that was appropriated from the Conservation and Recreation Lands (CARL) Trust Fund and the Save Our Rivers Trust Fund in 1996, the St Johns River Water Management District received an additional \$26 million in federal funds for the purpose of buying the Apopka area farmlands. This money, however, has some strings attached. In order to use these funds, the district must have the property owners under contract to sell by October 1, 1997, or the money not under contract reverts back to Washington. It is hoped that the appropriation contained in this bill will be sufficient to complete the buyout and have the contracts signed before the October deadline. The bill appropriates \$45 million from the General Revenue fund for this purpose.

Also, if for some reason the total cost of the construction of the stormwater management systems exceeds \$6 million, the original funding formula for this construction which provides that the cost be split three ways among the state, the district, and Zellwood would also apply to any amount over \$6 million.

The Northwest Orange County Redevelopment Commission members are to serve without compensation, but would be entitled to reimbursement for travel and other reasonable expenses. It is unclear as to which entity would be responsible for staffing this commission and which entity would be responsible for the travel and other costs that may be incurred by the commission members.

VI. Technical Deficiencies:

None

VII. Related Issues:

None

VIII. Amendments:

None

On motions by Senator Harris, by two-thirds vote—

HB 599—A bill to be entitled An act relating to private activity bonds, amending s 159 804, F S , deleting an expiration and legislative review provision, amending s 159 808 1, F S , increasing a threshold percentage for certain allocations from the manufacturing facility bond pool, providing an effective date

—a companion measure, was substituted for **SB 882** and by two-thirds vote read the second time by title.

Pursuant to Rule 4 19, **HB 599** was placed on the calendar of Bills on Third Reading

On motion by Senator Dyer—

CS for SB 1486—A bill to be entitled An act relating to Lake Apopka restoration, amending s 373.461, F S , providing that interim phosphorus abatement measures apply unless certain conditions are met, providing that construction of certain stormwater facilities will be necessary unless certain conditions are met; providing for cost-sharing for the cost of certain facilities, limiting the price for acquisition of certain lands, providing for the deposit of proceeds from the sale of tangible personal property and for the use of such funds, providing for the establishment of Northwest Orange County Redevelopment Commission to develop a redevelopment plan for the impacted area, creating s 290 0067, F S , providing for enterprise zone designation for certain communities impacted by Lake Apopka land acquisition, providing an appropriation, providing an effective date

—was read the second time by title.

Senator Dyer moved the following amendment which was adopted

Amendment 1 (with title amendment)—On page 0, delete everything after the enacting clause and insert

Section 1 Paragraph (e) of subsection (1), paragraphs (a), (b), and (d), of subsection (4), and paragraphs (c) and (e) of subsection (5) of section 373 461, Florida Statutes, 1996 Supplement, are amended, and paragraphs (f), (g), and (h) are added to subsection (5) of that section, to read

373.461 Lake Apopka improvement and management —

(1) FINDINGS AND INTENT —

(e) ~~If funds cannot be identified for acquisition of these agricultural lands, it is the Legislature's intent to provide a process for development of phosphorus discharge limitations that will bring such discharges into compliance with state water quality standards and to provide for interim phosphorus abatement measures designed to further reduce phosphorus discharges from the Zellwood Drainage and Water Control District, which is the largest agricultural entity within the Lake Apopka Basin, unless both of the timeframes specified in paragraph (4)(a) regarding purchase agreements and completion of purchases are met~~ The Legislature finds that it is in the public interest to jointly share in the cost of implementing such interim phosphorus reduction measures with Zellwood

(4) CONSTRUCTION OF STORMWATER MANAGEMENT SYSTEMS —

(a) It is the intent of the Legislature that ~~in the event no funding mechanisms to purchase all the lands within Zellwood are in place by July 1, 1997,~~ construction of stormwater management facilities to store, treat, and recycle Zellwood's agricultural stormwater runoff will be necessary during the interim period while discharge limitations are being established for Lake Apopka, ~~unless both of the following are met~~

1 Agreements to purchase all the lands within Zellwood are executed by September 30, 1997, or a later execution deadline established by the United States for such agreements before reallocation of Commodity Credit Corporation funds made available to acquire Wetland Reserve program conservation easements within the Lake Apopka Partnership Project area, and

2 All such purchases are completed pursuant to the terms of such agreements

The Legislature finds that it is in the public interest for state, regional, and local revenue sources to be used along with Zellwood's revenue sources to finance the costs of acquiring land and constructing such facilities One-third of the cost of the facilities shall be contributed by Zellwood, one-third by the state, and one-third by the district

(b) Consistent with the funding formula outlined in paragraph (a), the state will provide up to \$2 million, with the same amount being committed by both Zellwood and the district, for a total of \$6 million These funds shall be used for the purpose of acquiring the necessary land for and constructing a stormwater management facility, not to exceed 600 acres in total size, for Zellwood's farm runoff, together with the necessary pumps and other infrastructure associated with such facilities, provided that Zellwood's contribution shall be used for project purposes other than acquiring land *If the total cost of the facilities exceeds \$6 million, the costs exceeding \$6 million shall be contributed by the state, Zellwood, and the district under the funding formula outlined in paragraph (a)*

(d) Construction of the stormwater retention and treatment facilities provided for in this section shall begin within 90 days after acquisition of interests in land necessary for the facilities and the district's delivery of the design of the facilities to Zellwood, and shall be completed within 1 year thereafter After completion of the facilities, Zellwood shall be responsible for operation and maintenance so long as the facilities are used by Zellwood

(5) PURCHASE OF AGRICULTURAL LANDS —

(c) The district shall explore the availability of funding from all sources, including any federal, state, regional, and local land acquisition funding programs, to purchase the agricultural lands described in paragraph (a) It is the Legislature's intent that, if such funding sources can be identified, acquisition of the lands described in paragraph (a) may be undertaken by the district to purchase these properties from willing sellers *However, the purchase price paid for acquisition of such lands that were in active cultivation during 1996 shall not exceed \$4,000 per acre for those lands characterized predominantly by muck soils and \$3,000 per acre for those lands characterized predominantly by mineral soils These maximum purchase price limitations shall not include, nor be applicable to, that portion of the purchase price attributable to consideration of income described in paragraph (b), that portion attributable to related facilities, or closing costs*

(e) If all the lands within Zellwood are purchased in accordance with this section prior to expiration of the consent agreement between Zellwood and the district, Zellwood shall be reimbursed for any costs described in subsection (4)

(f) 1 Tangible personal property acquired by the district as part of related facilities pursuant to this section, and classified as surplus by the district, shall be sold by the Department of Management Services The Department of Management Services shall deposit the proceeds of such sale in the Economic Development Trust Fund in the Executive Office of the Governor The proceeds shall be used for the purpose of providing economic and infrastructure development in portions of northwestern Orange County which will be adversely affected economically due to the acquisition of lands pursuant to this subsection

2 The Office of Tourism, Trade, and Economic Development shall, upon presentation of the appropriate documentation justifying expenditure of the funds deposited pursuant to this paragraph, pay any obligation for which it has sufficient funds from the proceeds of the sale of intangible personal property and which meets the limitations of paragraph (h) The authority of the Office of Tourism, Trade, and Economic Development to expend such funds shall expire 5 years from the effective date of this paragraph Such expenditures may occur without future appropriation from the Legislature

3 Funds deposited under this paragraph may not be used for any purpose other than those enumerated in paragraph (h)

(g) There is established the "Northwest Orange County Redevelopment Advisory Committee" Membership of this committee shall consist of residents of Orange County and shall be constituted as follows one member appointed by the President of the Senate, one member appointed

by the Speaker of the House of Representatives, one member appointed by the Mayor of Apopka, one member appointed by the Orange County Chairman, one member appointed by the chairman of the Central Florida Jobs and Education Partnership, one member appointed by the chairman of the Economic Development Commission of Mid-Florida, and one member, who shall serve as chair, appointed by the Governor. The committee shall continue in existence for a period of 5 years from the effective date of this paragraph. Any vacancy on the committee shall be filled for the remainder of the term in the manner the position was originally filled. All members of the committee shall serve for terms of 3 years and may be reappointed. Members of the committee shall serve without compensation, but may be reimbursed for travel and other reasonable expenses directly associated with operation of the committee. The committee shall function in an advisory capacity to the Orange County Commission in creating and implementing a redevelopment plan for the impacted area that is consistent with the approved comprehensive plan for Orange County.

(h) The Orange County Commission shall have authority to spend the proceeds of sales of tangible personal property authorized in paragraph (f) to implement the redevelopment plan adopted by the Orange County Commission. Of the total funds collected from the sale of the tangible personal property

1. The commission may not expend more than.
 - a. Twenty percent for labor force training related to the redevelopment project,
 - b. Thirty-three percent for financial or economic incentives for business location or expansion in the redevelopment area, and
 - c. Four percent for administration, planning, and marketing the redevelopment plan.
2. The commission must spend those revenues not expended under subparagraph 1 for infrastructure needs necessary for the redevelopment project

Section 2 Section 290.0067, Florida Statutes, is created to read

290.0067 Enterprise zone designation for communities impacted by Lake Apopka land acquisition—Orange County may apply to the Office of Tourism, Trade and Economic Development for designation of one enterprise zone encompassing areas suffering adverse economic impacts due to governmental acquisition of Lake Apopka farm lands pursuant to s 373.461. The application must be submitted by December 31, 1998, and must comply with the requirements of s 290.0055, except s 290.0055(3). Notwithstanding the provisions of s 290.0065 limiting the total number of enterprise zones designated and the number of enterprise zones within a population category, the Office of Tourism, Trade and Economic Development shall establish the initial effective date of the enterprise zone designated pursuant to this section based upon when unemployment will occur due to the cessation of farming on lands acquired pursuant to s 373.461. The zone shall terminate 5 years following the established effective date.

Section 3 In addition to the sum of \$20 million appropriated in fiscal year 1996-1997, the sum of \$45 million is appropriated from the General Revenue Fund to the St. Johns River Water Management District for fiscal year 1997-1998, both sums to be used for the purpose of purchasing lands described in section 373.461(5)(a), Florida Statutes, and their related facilities. The \$45-million appropriation may be used only to acquire lands, and their related facilities, for which agreements for purchase have been executed by September 30, 1997, or such later execution deadline as is established by the United States for such agreements before reallocation of Commodity Credit Corporation funds that have been made available to acquire Wetland Reserve Program conservation easements on lands within the Lake Apopka Partnership Project area.

Section 4 This act shall take effect upon becoming a law.

And the title is amended as follows

Delete everything before the enacting clause and insert: An act relating to Lake Apopka restoration, amending s 373.461, F.S., providing that interim phosphorus abatement measures apply unless certain conditions are met, providing that construction of certain stormwater facilities will be necessary unless certain conditions are met; providing for

cost-sharing for the cost of certain facilities, limiting the price for acquisition of certain lands, providing for the deposit of proceeds from the sale of tangible personal property and for the use of such funds, providing for the establishment of Northwest Orange County Redevelopment Advisory Committee to develop a redevelopment plan for the impacted area, creating s. 290.0067, F.S., providing for enterprise zone designation for certain communities impacted by Lake Apopka land acquisition, providing an appropriation, providing an effective date.

Pursuant to Rule 4 19, CS for SB 1486 as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading

On motion by Senator Latvala—

CS for SB 550—A bill to be entitled An act relating to oil and gas drilling, amending s 377.2425, F.S.; revising surety requirements for drilling permittees, providing an effective date.

—was read the second time by title

Senator Latvala moved the following amendment which was adopted

Amendment 1—On page 1, lines 28-30 and on page 2, lines 1 and 2, delete those lines and insert *as the Administration Commission, at the recommendation of the Department of Environmental Protection, shall set a reasonable amount of surety required under this subsection. The surety amount shall be based on the projected cleanup costs and natural resources damages resulting from a maximum oil spill and adverse hydrographic and atmospheric conditions that would tend to transport the oil into environmentally sensitive areas, as determined by the Department of Environmental Protection.*

Pursuant to Rule 4 19, CS for SB 550 as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading

Consideration of SB 292 was deferred

On motion by Senator Dyer—

SB 1430—A bill to be entitled An act relating to water resources, amending s 373.083, F.S., providing authority for the water management districts to accept funds for the planning and implementation of district undertakings and delegations, providing an effective date.

—was read the second time by title

Pursuant to Rule 4 19, SB 1430 was placed on the calendar of Bills on Third Reading

On motion by Senator Holzendorf—

SB 150—A bill to be entitled An act relating to the Florida Vessel Registration and Safety Law; amending s 327.25, F.S.; providing an exemption from annual vessel registration fees for vessels owned and operated by the Safe Harbor Haven, Inc., providing an effective date.

—was read the second time by title

An amendment was considered to conform SB 150 to CS for HB 229

Pending further consideration of SB 150 as amended, on motion by Senator Holzendorf, by two-thirds vote CS for HB 229 was withdrawn from the Committees on Natural Resources, and Ways and Means

On motions by Senator Holzendorf, by two-thirds vote—

CS for HB 229—A bill to be entitled An act relating to the Florida Vessel Registration and Safety Law, amending s 327.25, F.S., providing an exemption from annual vessel registration fees for vessels owned and operated by the Safe Harbor Haven, Inc.; amending s 327.52, F.S., revising language with respect to maximum loading and horsepower requirements for specified vessels and prohibiting the operation of vessels in an overloaded or overpowered condition, amending s 327.73, F.S.;

Journal
of the
Florida
House of Representatives



Ninety-ninth
Regular Session

since Statehood in 1845

March 4 through May 2, 1997

[Including a record of transmittal of Acts subsequent to sine die adjournment]

Under Rule 127, the bill was referred to the Engrossing Clerk

HB 1573 was taken up On motion by Rep Ogles the rules were suspended and CS for SB 800 was substituted for HB 1573 Under Rule 99, the House bill was laid on the table and—

CS for SB 800—A bill to be entitled An act relating to retail installment sales, amending s 520 35, F S , specifying conditions under which retail revolving accounts are considered to be signed or accepted, specifying that the seller has the burden of proving authorized use, providing an effective date

—was read the second time by title and, under Rule 127, referred to the Engrossing Clerk

HB 1693—A bill to be entitled An act relating to public lodging establishments, amending s 509 215, F S , revising firesafety requirements for specified public lodging establishments, deleting obsolete language, amending s 509 242, F S , revising classifications for public lodging establishments, providing that such classifications are for licensing purposes only, providing classification for "home stay inn", amending s 553 895, F S , removing obsolete firesafety requirements for public lodging establishments within the Florida Building Codes Act, providing an effective date

—was read the second time by title and, under Rule 127, referred to the Engrossing Clerk

HB 1483 was taken up On motion by Rep Sindler, the rules were suspended and CS for SB 1486 was substituted for HB 1483. Under Rule 99, the House bill was laid on the table and—

CS for SB 1486—A bill to be entitled An act relating to Lake Apopka restoration, amending s 373 461, F S , providing that interim phosphorus abatement measures apply unless certain conditions are met, providing that construction of certain stormwater facilities will be necessary unless certain conditions are met, providing for cost-sharing for the cost of certain facilities, limiting the price for acquisition of certain lands, providing for the deposit of proceeds from the sale of tangible personal property and for the use of such funds, providing for the establishment of Northwest Orange County Redevelopment Advisory Committee to develop a redevelopment plan for the impacted area, creating s 290 0067, F S , providing for enterprise zone designation for certain communities impacted by Lake Apopka land acquisition, providing an appropriation, providing an effective date

—was read the second time by title

Representative(s) Sindler, Reddick, Ogles, Bradley and Kelly offered the following

Amendment 1 (with title amendment)—

Remove from the bill Everything after the enacting clause

and insert in lieu thereof

Section 1 *Notwithstanding any other provision of law, prior to June 30, 1998, the Office of Tourism, Trade, and Economic Development may amend the boundaries of an area designated as an enterprise zone in a community having a population of 7,500 persons or more but less than 20,000, so long as the area does not increase the overall size of the zone. The amendment must also be consistent with the limitations imposed by s 290 0055, Florida Statutes, upon establishment of the enterprise zone*

Section 2 (1) *The Office of Tourism, Trade, and Economic Development may, no later than June 30, 1998, modify the boundaries of any enterprise zone that is located within an inland county having a population greater than 500,000, to allow for the expansion of one noncontiguous area, as long as the area added does not exceed 5 square miles and is consistent with the categories, criteria, and limitations imposed by this section and s 290 0055, Florida Statutes, upon the establishment of such an enterprise zone*

(2) *This section is repealed July 1, 1998*

Section 3 Paragraph (e) of subsection (1), paragraphs (a) and (d) of subsection (4), and paragraphs (c) and (e) of subsection (5) of section

373 461 Florida Statutes, 1996 Supplement, are amended, and paragraphs (f) and (g) are added to subsection (5) of said section, to read

373 461 Lake Apopka improvement and management —

(1) FINDINGS AND INTENT —

(e) ~~If funds cannot be identified for acquisition of these agricultural lands,~~ It is the Legislature's intent to provide a process for development of phosphorus discharge limitations that will bring such discharges into compliance with state water quality standards and to provide for interim phosphorus abatement measures designed to further reduce phosphorus discharges from the Zellwood Drainage and Water Control District, which is the largest agricultural entity within the Lake Apopka Basin, ~~unless both of the timeframes specified in paragraph (4)(a) regarding purchase agreements and completion of purchases are met~~ The Legislature finds that it is in the public interest to jointly share in the cost of implementing such interim phosphorus reduction measures with Zellwood

(4) CONSTRUCTION OF STORMWATER MANAGEMENT SYSTEMS —

(a) It is the intent of the Legislature that ~~in the event no funding mechanisms to purchase all the lands within Zellwood are in place by July 1, 1997,~~ construction of stormwater management facilities to store, treat, and recycle Zellwood's agricultural stormwater runoff will be necessary during the interim period while discharge limitations are being established for Lake Apopka, ~~unless both of the following conditions are met~~

1 *Agreements to purchase all the lands within Zellwood are executed by September 30, 1997, or a later execution deadline established by the United States for such agreements before reallocation of Commodity Credit Corporation funds made available to acquire wetland reserve program conservation easements within the Lake Apopka Partnership Project area, and*

2 *All such purchases are completed pursuant to the terms of such agreements*

The Legislature finds that it is in the public interest for state, regional, and local revenue sources to be used along with Zellwood's revenue sources to finance the costs of acquiring land and constructing such facilities One-third of the cost of the facilities shall be contributed by Zellwood, one-third by the state, and one-third by the district

(d) Construction of the stormwater retention and treatment facilities provided for in this section shall begin within 90 days after acquisition of interests in land necessary for the facilities and the district's delivery of the design of the facilities to Zellwood, and shall be completed within 1 year thereafter. After completion of the facilities, Zellwood shall be responsible for operation and maintenance so long as the facilities are used by Zellwood

(5) PURCHASE OF AGRICULTURAL LANDS —

(c) The district shall explore the availability of funding from all sources, including any federal, state, regional, and local land acquisition funding programs, to purchase the agricultural lands described in paragraph (a) It is the Legislature's intent that, if such funding sources can be identified, acquisition of the lands described in paragraph (a) may be undertaken by the district to purchase these properties from willing sellers However, the purchase price paid for acquisition of such lands that were in active cultivation during 1996 shall not exceed the highest appraisal obtained by the district for these lands from a state-certified general appraiser following the Uniform Standards of Professional Appraisal Practice This maximum purchase price limitation shall not include, nor be applicable to, that portion of the purchase price attributable to consideration of income described in paragraph (b), or that portion attributable to related facilities, or closing costs

(e) ~~If all the lands within Zellwood are purchased in accordance with this section prior to expiration of the consent agreement between~~

Zellwood and the district, Zellwood shall be reimbursed for any costs described in subsection (4)

(f)1 Tangible personal property acquired by the district as part of related facilities pursuant to this section, and classified as surplus by the district, shall be sold by the Department of Management Services. The Department of Management Services shall deposit the proceeds of such sale in the Economic Development Trust Fund in the Executive Office of the Governor. The proceeds shall be used for the purpose of providing economic and infrastructure development in portions of northwestern Orange County and east central Lake County which will be adversely affected economically due to the acquisition of lands pursuant to this subsection.

2 The Office of Tourism, Trade, and Economic Development shall, upon presentation of the appropriate documentation justifying expenditure of the funds deposited pursuant to this paragraph, pay any obligation for which it has sufficient funds from the proceeds of the sale of tangible personal property and which meets the limitations specified in paragraph (h). The authority of the Office of Tourism, Trade, and Economic Development to expend such funds shall expire 5 years from the effective date of this paragraph. Such expenditures may occur without future appropriation from the Legislature.

3 Funds deposited under this paragraph may not be used for any purpose other than those enumerated in paragraph (h).

(g)1 The proceeds of sale of tangible personal property authorized by paragraph (f) shall be distributed as follows: 60 percent to Orange County, 25 percent to the City of Apopka, and 15 percent to Lake County.

2 Such proceeds shall be used to implement the redevelopment plans adopted by the Orange County Board of County Commissioners, Apopka City Commission, and Lake County Board of County Commissioners.

3 Of the total proceeds, the Orange County Board of County Commissioners, Apopka City Commission, and Lake County Board of County Commissioners, may not expend more than:

a Twenty percent for labor force training related to the redevelopment plan,

b Thirty-three percent for financial or economic incentives for business location or expansion in the redevelopment area, and

c Four percent for administration, planning, and marketing the redevelopment plan.

4 The Orange County Board of County Commissioners, Apopka City Commission, and Lake County Board of County Commissioners must spend those revenues not expended under subparagraph 3 for infrastructure needs necessary for the redevelopment plan.

Section 4 The \$20 million appropriation in fiscal year 1996-1997 pursuant to chapter 96-207, Laws of Florida, shall be used for the purpose of purchasing lands described in s. 373.461(5)(a), Florida Statutes, and their related facilities.

Section 5 Section 290.0067, Florida Statutes, is created to read:

290.0067 Enterprise zone designation for communities impacted by Lake Apopka land acquisition.—Orange County and the municipality of Apopka may jointly apply to the Office of Tourism, Trade, and Economic Development for designation of one enterprise zone encompassing areas suffering adverse economic impacts due to governmental acquisition of Lake Apopka farmlands pursuant to s. 373.461. The application must be submitted by December 31, 1998, and must comply with the requirements of s. 290.0055, except s. 290.0055(3). Notwithstanding the provisions of s. 290.0065 limiting the total number of enterprise zones designated and the number of enterprise zones within a population category, the Office of Tourism, Trade, and Economic Development may designate one enterprise zone under this section. The Office of Tourism, Trade, and Economic Development shall establish the initial effective date of the enterprise zone designated pursuant to this section based upon when unemployment will occur due to the cessation of farming on lands acquired pursuant to s. 373.461. The zone shall terminate 5 years following the established effective date.

Section 6 Notwithstanding any other provisions of law, the Office of Tourism, Trade, and Economic Development may amend the boundaries of an area designated as an enterprise zone in a community having a population of 235,000 persons but less than 245,000, so long as the area does not increase the overall size of the zone by greater than 50 acres and the increased area is contiguous to the existing enterprise zone. The amendment must also be consistent with the limitations imposed by s. 290.0055, Florida Statutes, upon establishment of the enterprise zone.

Section 7 If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 8 This act shall take effect upon becoming a law.

And the title is amended as follows:

remove from the title of the bill the entire title

and insert in lieu thereof: A bill to be entitled An act relating to community redevelopment, authorizing the Office of Tourism, Trade, and Economic Development to amend the boundaries of certain enterprise zones, providing restrictions, providing for repeal, amending s. 373.461, F.S., relating to Lake Apopka improvement and management, providing legislative intent that interim phosphorus abatement measures be provided and stormwater management facilities be constructed unless specified time requirements for land purchase are met, revising provisions relating to commencement of construction of stormwater facilities, providing a maximum purchase price for certain agricultural lands, providing for sale of certain tangible personal property and for use of the proceeds of such sale, authorizing the Office of Tourism, Trade, and Economic Development to expend such funds, providing for use of an appropriation made by ch. 96-207, Laws of Florida, creating s. 290.0067, F.S., authorizing Orange County and Apopka to apply for designation of an enterprise zone in areas suffering adverse impacts due to governmental acquisition of Lake Apopka farmlands, authorizing the Office of Tourism, Trade, and Economic Development to designate such zone and providing a termination date, authorizing the Office of Tourism, Trade, and Economic Development to amend the boundaries of certain areas, providing for severability, providing an effective date.

Rep. Sindler moved the adoption of the amendment.

Further consideration of CS for SB 1486, with pending amendment, was temporarily postponed.

On motion by Rep. Fuller, CS/ HB 1377 was temporarily postponed under Rule 147 and the second reading nullified.

CS/ HB 1275—A bill to be entitled An act relating to taxation, providing legislative intent with respect to the municipal public service tax, amending s. 166.231, F.S., providing that specified governmental bodies are exempt from said tax, exempting certain religious institutions from the tax on telecommunication services; providing that state universities shall not be deemed sellers of taxable items under certain circumstances; revising provisions relating to determination of the situs of telecommunication services, providing requirements for returns and remittance of the tax on telecommunication services, requiring certain purchasers claiming exemptions to certify that they are qualified therefor, requiring governmental bodies that sell taxable services to nonexempt users to collect and remit the tax, creating s. 166.233, F.S., providing requirements for levy of the tax, specifying effective dates, providing duties of the Department of Revenue, requiring municipalities to furnish certain information relating to the tax to the Department of Revenue and to other persons, providing for fees, providing limitations on the responsibilities of sellers if information is not furnished as required, providing procedures that apply when more than one municipality claims an address or when information does not conform to the seller's address records, creating s. 166.234, F.S., providing procedures for audits of sellers by municipalities, prohibiting contingent fee audits, prescribing record retention requirements for sellers, providing time limitations on

947 16(4)(g) and s 947 174(1), and the setting of subsequent review dates as authorized by s 947 1745(6), on or after such effective date

And the title is amended as follows

On page 1, lines 1-8, remove the entire title of the bill

and insert in lieu thereof A bill to be entitled An act relating to parole, amending ss 947 16, 947 174, 947 1745, F.S., relating to eligibility for parole, parole interviews, and the establishment of a parole release date, providing for the Parole Commission to review the presumptive release dates of certain inmates less frequently, requiring the commission to make certain written findings; allowing the commission to establish earlier review dates for certain inmates who are within a designated time of their tentative release dates, providing an effective date

Rep Putnam moved the adoption of the amendment

Representative(s) Heyman offered the following

Amendment 1 to Amendment 1 (with title amendment)—On page 6, between line(s) 17 & 18, of the amendment

insert

Section 4 Section 947 1748, Florida Statutes, is created to read

947 1748 Establishing parole interview dates, exceptions—For any inmate serving a parole-eligible sentence whose reinterview date, as authorized under s 947 16, interview date, as authorized under s 947 174, or subsequent review date, as authorized under s 947 1745, is scheduled once every 5 years, the commission may establish a reinterview, interview or subsequent review date prior to the 5-year schedule if.

(1) the inmate is permanently or irreversibly physically incapacitated or terminally ill due to injury, disease, or illness,

(2) the inmate performs an outstanding deed, or

(3) the inmate's circumstances are exceptional and significant (renumber subsequent section(s))

And the title is amended as follows:

On page 7, line 12, of the amendment

after the semicolon, insert creating s 947 1748, F.S., allowing the commission to establish earlier review dates for certain inmates under certain circumstances,

Rep Heyman moved the adoption of the amendment to the amendment, which was adopted

The question recurred on the adoption of Amendment 1, as amended, which was adopted

On motion by Rep Putnam, the rules were suspended and SB 258, as amended, was read the third time by title On passage, the vote was

Yeas—116

The Chair	Brennan	Crow	Futch
Albright	Bronson	Culp	Garcia
Andrews	Brooks	Dawson-White	Gay
Argenziano	Brown	Dennis	Geller
Arnall	Bullard	Diaz de la Portilla	Goode
Arnold	Burroughs	Dockery	Greene
Bainter	Bush	Edwards	Hafner
Ball	Byrd	Eggelleton	Harrington
Barreiro	Carlton	Fasano	Healey
Betancourt	Casey	Feeney	Heyman
Bitner	Chestnut	Fischer	Hill
Bloom	Clemons	Flanagan	Horan
Boyd	Cosgrove	Frankel	Jacobs
Bradley	Crady	Fuller	Jones

Kellv	Meek	Ritchie	Starks
King	Melvin	Ritter	Sublette
Kosmas	Merchant	Roberts-Burke	Thrasher
Lacasa	Minton	Rodriguez-Chomat	Tobin
Laurent	Morrison	Rojas	Trovillion
Lawson	Morse	Safley	Turnbull
Lippman	Murman	Sanderson	Valdes
Littlefield	Ogles	Saunders	Villalobos
Livingston	Peaden	Sembler	Wallace
Logan	Posey	Silver	Warner
Lynn	Prewitt, D	Sudler	Wasserman Schultz
Mackenzie	Pruitt, K	Smith	Westbrook
Mackey	Putnam	Spratt	Wiles
Martinez	Rayson	Stabins	Wise
Maygarden	Reddick	Stafford	Ziebarth

Nays—1

Effman

Votes after roll call

Yeas—Constantine

So the bill passed, as amended, and was immediately certified to the Senate

CS for SB 1486—A bill to be entitled An act relating to Lake Apopka restoration; amending s 373 461, F.S., providing that interim phosphorus abatement measures apply unless certain conditions are met, providing that construction of certain stormwater facilities will be necessary unless certain conditions are met, providing for cost-sharing for the cost of certain facilities, limiting the price for acquisition of certain lands, providing for the deposit of proceeds from the sale of tangible personal property and for the use of such funds, providing for the establishment of Northwest Orange County Redevelopment Advisory Committee to develop a redevelopment plan for the impacted area, creating s 290 0067, F.S., providing for enterprise zone designation for certain communities impacted by Lake Apopka land acquisition; providing an appropriation, providing an effective date

—was taken up, having been read the second time on April 25, now pending on motion by Rep Sindler to adopt Amendment 1 (shown in the Journal on pages 1048-1049, April 25)

The question recurred on the adoption of Amendment 1

Representative(s) Bradley offered the following:

Amendment 1 to Amendment 1—On page 7, line(s) 7, remove from the amendment 50

and insert in lieu thereof 25

Rep Bradley moved the adoption of the amendment to the amendment, which was adopted

The question recurred on the adoption of Amendment 1, as amended, which was adopted

On motion by Rep Sindler, the rules were suspended and CS for SB 1486, as amended, was read the third time by title On passage, the vote was

Yeas—113

The Chair	Bitner	Byrd	Culp
Albright	Boyd	Carlton	Dawson-White
Andrews	Bradley	Casey	Dennis
Argenziano	Brennan	Chestnut	Diaz de la Portilla
Arnall	Bronson	Clemons	Dockery
Arnold	Brooks	Constantine	Edwards
Bainter	Brown	Cosgrove	Effman
Ball	Bullard	Crady	Eggelleton
Barreiro	Burroughs	Crist	Fasano
Betancourt	Bush	Crow	Feeney

Fischer	Kosmas	Murman	Sindler
Flanagan	Lacasa	Ogles	Smith
Frankel	Laurent	Peaden	Spratt
Fuller	Lawson	Posey	Stabins
Futch	Lippman	Prewitt, D	Stafford
Gay	Littlefield	Pruitt, K	Starks
Geller	Livingston	Putnam	Sublette
Goode	Logan	Rayson	Tobin
Greene	Lynn	Reddick	Turnbull
Hafner	Mackenzie	Ritchie	Valdes
Harrington	Mackey	Ritter	Wallace
Healey	Martinez	Roberts-Burke	Wasserman Schultz
Heyman	Maygarden	Rodriguez-Chomat	Westbrook
Hull	Meek	Rojas	Wiles
Horan	Melvin	Safley	Wise
Jacobs	Merchant	Sanderson	Ziebarth
Jones	Minton	Saunders	
Kelly	Morrone	Sembler	
King	Morse	Silver	

Nays—1

Villalobos

So the bill passed, as amended, and was immediately certified to the Senate

CS for CS for SB 286—A bill to be entitled An act relating to state group insurance, amending s 20 22, F S , renaming the Division of State Employees' Insurance within the Department of Insurance as the Division of State Group Insurance, creating the Florida State Group Health Insurance Council within the department, providing its membership, providing its powers and duties, providing for meetings, providing travel and per diem, amending s 20 42, F S , eliminating duties of the Division of State Health Purchasing of the Agency for Health Care Administration with respect to state employee health insurance, amending s 110 123, F S ; defining the term "division", creating the Division of State Group Insurance within the Department of Management Services and requiring that department to provide administrative support and service to the division, excluding the division from control, supervision, or direction by the department, providing for a director of the division, providing requirements, providing for administration of the state group insurance program by the division, providing criteria for division contracts with insuring entities, requiring notice by certain health care providers, authorizing the division to adopt rules; amending s 110 12315, F S , assigning the Division of State Group Insurance duties relating to the prescription drug program, amending s 110 1232, F S , assigning the Division of State Group Insurance duties relating to health insurance coverage for persons retired under state-administered retirement before a specified date, amending s 110 1234, F S , assigning the Division of State Group Insurance duties relating to health insurance for retirees under the Florida Retirement System or Medicare Supplement, amending s 110 161, F S , assigning the Division of State Group Insurance duties relating to the pretax benefits program, providing an effective date

—was read the second time by title

The Committee on State Employee Health Benefits, Select, offered the following

Amendment 1 (with title amendment)—

Remove from the bill Everything after the enacting clause and insert in lieu thereof

Section 1 Paragraph (j) of subsection (2) of section 20 22, Florida Statutes, is amended and subsection (5) is added to read

20 22 Department of Management Services—There is created a Department of Management Services

2) The following divisions and bureaus within the Department of Management Services are established

- (a) Division of Administration
- (b) Division of Building Construction
- (c) Division of Communications
- (d) Division of Facilities Management
- (e) Division of Information Services
- (f) Division of Motor Pool
 - 1 Bureau of Aircraft
 - 2 Bureau of Motor Vehicles
- (g) Division of Personnel Management Services
 - 1 Office of Labor Relations
- (h) Division of Purchasing
 - 1 Bureau of Federal Property Assistance
- (i) Division of Retirement
- (j) Division of State Group Employees' Insurance
- (k) Division of Administrative Hearings
- (l) Division of Capitol Police

(5)(a) *The Florida State Group Insurance Council is created within the division for the purpose of providing joint and coordinated oversight of the operation and administration of the state group insurance program. The council shall consist of the state budget director, an individual from the private sector with an extensive health administration background, appointed by the Governor, a member of the Florida Senate, appointed by the President of the Senate, a member of the Florida House of Representatives, appointed by the Speaker of the House of Representatives, a representative of the State University System, appointed by the Board of Regents, the State Insurance Commissioner or his designee, the director of the Division of Retirement, and two representatives of employees and retirees, appointed by the Governor. Members of the council appointed by the Governor shall be appointed to serve terms of 4 years each. Each member of the council shall serve until a successor is appointed. Additionally, the director of the Division of State Employee Insurance shall be a nonvoting member of the council.*

(b) *Of the two members representing employees, one member must be appointed in such a manner as to represent state-employee bargaining units, and one member must be a retired employee. Each member must be a resident of the state.*

(c) *The council is assigned to the Division of State Group Insurance for administrative and fiscal accountability purposes, but the council and its staff shall otherwise function independently of the control and direction of the division. The Division of State Group Insurance shall furnish dedicated administrative and secretarial assistance to the council, and other assistance to the council as requested.*

(d) *The council shall have the primary functions to*

1 *Recommend accountability measures and review the implementation of performance-based program budgeting measures under which the Division of State Group Insurance operates*

2 *Review and recommend procedures and criteria for contract selection before any contract solicitation*

3 *Review and make recommendations regarding insurance benefit packages*

4 *Review external audit reports, service organization reports, compliance reviews, or other contractually required management reports relating to third-party administrator activities to determine areas that potentially may require division action*

5 *Review third-party administrator management reports leading to conclusions regarding report completion, accuracy, validity, and reasonableness*

By Representative Sublette

1 A bill to be entitled

2 An act relating to Lake Apopka restoration;
3 amending s. 373.461, F.S.; providing that
4 interim phosphorus abatement measures apply
5 unless certain conditions are met; providing
6 that construction of certain stormwater
7 facilities will be necessary unless certain
8 conditions are met; providing for cost-sharing
9 for the cost of certain facilities; clarifying
10 timeframe for construction of certain
11 facilities; limiting the price for acquisition
12 of certain lands; providing for the deposit of
13 proceeds from the sale of tangible personal
14 property and for the use of such funds;
15 providing for the establishment of Northwest
16 Orange County Redevelopment Commission to
17 develop a redevelopment plan for the impacted
18 area; requiring report to the Governor and
19 Legislature; creating s. 290.0067, F.S.;
20 providing for enterprise zone designation for
21 certain communities impacted by Lake Apopka
22 land acquisition; providing an appropriation;
23 providing an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida.
26

27 Section 1. Paragraph (e) of subsection (1), paragraphs
28 (a), (b), and (d), of subsection (4), and paragraphs (c) and
(e) of subsection (5) of section 373.461, Florida Statutes,
1996 Supplement, are amended, and paragraphs (f) and (g) are
31 added to subsection (5) of said section, to read:

1 373.461 Lake Apopka improvement and management.--

2 (1) FINDINGS AND INTENT.--

3 (e) ~~If funds cannot be identified for acquisition of~~
4 ~~these agricultural lands;~~ It is the Legislature's intent to
5 provide a process for development of phosphorus discharge
6 limitations that will bring such discharges into compliance
7 with state water quality standards and to provide for interim
8 phosphorus abatement measures designed to further reduce
9 phosphorus discharges from the Zellwood Drainage and Water
10 Control District, which is the largest agricultural entity
11 within the Lake Apopka Basin, unless both of the timeframes
12 specified in paragraph (4)(a) regarding purchase agreements
13 and completion of purchases are met. The Legislature finds
14 that it is in the public interest to jointly share in the cost
15 of implementing such interim phosphorus reduction measures
16 with Zellwood.

17 (4) CONSTRUCTION OF STORMWATER MANAGEMENT SYSTEMS.--

18 (a) It is the intent of the Legislature that in the
19 ~~event no funding mechanisms to purchase all the lands within~~
20 ~~Zellwood are in place by July 1, 1997;~~ construction of
21 stormwater management facilities to store, treat, and recycle
22 Zellwood's agricultural stormwater runoff will be necessary
23 during the interim period while discharge limitations are
24 being established for Lake Apopka, unless both of the
25 following are met:

26 1. Agreements to purchase all the lands within
27 Zellwood are executed by September 30, 1997, or such later
28 execution deadline which may be established by the United
29 States Government for such agreements before reallocation of
30 Commodity Credit Corporation funds made available to acquire
31

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1 Wetland Reserve Program conservation easements within the Lake
2 Apopka Partnership Project area; and

3 2. All such purchases are completed pursuant to the
4 terms of such agreements.

5
6 The Legislature finds that it is in the public interest for
7 state, regional, and local revenue sources to be used along
8 with Zellwood's revenue sources to finance the costs of
9 acquiring land and constructing such facilities. One-third of
10 the cost of the facilities shall be contributed by Zellwood,
11 one-third by the state, and one-third by the district.

12 (b) Consistent with the funding formula outlined in
13 paragraph (a), the state will provide up to \$2 million, with
14 the same amount being committed by both Zellwood and the
15 district, for a total of \$6 million. These funds shall be used
16 for the purpose of acquiring the necessary land for and
17 constructing a stormwater management facility, not to exceed
18 600 acres in total size, for Zellwood's farm runoff, together
19 with the necessary pumps and other infrastructure associated
20 with such facilities, provided that Zellwood's contribution
21 shall be used for project purposes other than acquiring land
22 If the total cost of the facilities exceeds \$6 million, the
23 costs exceeding \$6 million shall be contributed by the state,
24 Zellwood, and the district under the funding formula outlined
25 in paragraph (a).

26 (d) Construction of the stormwater retention and
27 treatment facilities provided for in this section shall begin
28 within 90 days after acquisition of interests in land
9 necessary for the facilities and the district's delivery of
10 the design of the facilities to Zellwood, and shall be
31 completed within 1 year thereafter. After completion of the

1 facilities, Zellwood shall be responsible for operation and
2 maintenance so long as the facilities are used by Zellwood.

3 (5) PURCHASE OF AGRICULTURAL LANDS --

4 (c) The district shall explore the availability of
5 funding from all sources, including any federal, state,
6 regional, and local land acquisition funding programs, to
7 purchase the agricultural lands described in paragraph (a). It
8 is the Legislature's intent that, if such funding sources can
9 be identified, acquisition of the lands described in paragraph
10 (a) may be undertaken by the district to purchase these
11 properties from willing sellers. However, the purchase price
12 paid for acquisition of such lands which were in active
13 cultivation during the year 1996 shall not exceed \$4,000 per
14 acre for those lands characterized predominantly by muck soils
15 and \$3,000 per acre for those lands characterized
16 predominantly by mineral soils. These maximum purchase price
17 limitations shall not include, nor be applicable to, that
18 portion of the purchase price attributable to consideration of
19 income described in paragraph (5)(b), or that portion
20 attributable to related facilities, or closing costs.

21 (e) If all the lands within Zellwood are purchased in
22 accordance with this section prior to expiration of the
23 consent agreement between Zellwood and the district, Zellwood
24 shall be reimbursed for any costs described in subsection (4).

25 (f) Tangible personal property acquired by the
26 district as part of related facilities pursuant to this
27 section, and classified as surplus by the district, shall be
28 sold by the Department of Management Services. The Department
29 of Management Services shall deposit the proceeds of such sale
30 in the Economic Development Trust Fund in the Executive Office
31 of the Governor, to be used for the purpose of providing

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1 economic and infrastructure development in portions of
2 northwestern Orange County which will suffer adverse economic
3 impacts due to the acquisition of lands pursuant to this
4 subsection.

5 (g) The Northwest Orange County Redevelopment
6 Commission is established to administer the proceeds derived
7 from the sale of tangible personal property described in
8 paragraph (f). The membership of this commission shall consist
9 of residents of the area impacted by the acquisition of lands
10 pursuant to this subsection and shall be constituted as
11 follows: two members appointed by the President of the
12 Senate; two members appointed by the Speaker of the House of
13 Representatives; and three members appointed by the Governor.
14 The commission shall continue in existence for a period of 5
15 years after the effective date of this act. All members of the
16 commission shall serve for the full 5 years. Members of the
17 commission shall serve without compensation, but may be
18 reimbursed for travel and other reasonable expenses directly
19 associated with operation of the commission. The commission
20 shall develop a redevelopment plan for the impacted area that
21 is consistent with the approved comprehensive plan for Orange
22 County, and shall submit this plan to the President of the
23 Senate, the Speaker of the House of Representatives, and the
24 Governor, no later than December 31, 1998.

25 Section 2. Section 290.0067, Florida Statutes, is
26 created to read:

27 290.0067 Enterprise zone designation for communities
28 impacted by Lake Apopka land acquisition.--The counties of
29 Lake or Orange or the municipalities of Zellwood, Apopka,
30 Winter Garden, or Oakland may apply to the Office of Tourism,
31 Trade, and Economic Development for enterprise zone

1 designations of certain areas suffering adverse economic
 2 impacts due to governmental acquisition of Lake Apopka farm
 3 lands pursuant to s. 373.461. The application must be
 4 submitted by December 31, 1998, and must comply with the
 5 requirements of s. 290.0055, except s. 290.0055(3).
 6 Notwithstanding the provisions of s. 290.0065 which limit the
 7 total number of enterprise zones designated and the number of
 8 enterprise zones within a population category, the Office of
 9 Tourism, Trade, and Economic Development shall establish the
 10 initial effective date of any enterprise zone designated
 11 pursuant to this section based upon when unemployment will
 12 occur due to the cessation of farming on lands acquired
 13 pursuant to s. 373.461. Any such zone shall terminate 5 years
 14 following the established effective date.

15 Section 3. In addition to the sum of \$20 million
 16 appropriated in fiscal year 1996-1997, the sum of \$45 million
 17 is appropriated from the General Revenue Fund to the St. Johns
 18 River Water Management District for fiscal year 1997-1998,
 19 both sums to be used for the purpose of purchasing lands
 20 described in s. 373.461(5)(a), Florida Statutes, and their
 21 related facilities. The \$45 million appropriation may only be
 22 used to acquire lands and their related facilities, for which
 23 agreements for purchase have been executed by September 30,
 24 1997, or such later execution deadline which may be
 25 established by the United States Government for such
 26 agreements before reallocation of Commodity Credit Corporation
 27 funds which have been made available to acquire Wetland
 28 Reserve Program conservation easements on lands with the Lake
 29 Apopka Partnership Project area.

30 Section 4. This act shall take effect July 1, 1997.
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HOUSE SUMMARY

With respect to the restoration of Lake Apopka, provides for application of interim phosphate abatement measures and construction of stormwater management systems, unless land acquisition agreements are executed and purchases completed within described timeframes. Provides for state, district, and local cost-sharing if purchase costs of facilities exceed a \$6 million threshold. Provides limitations on the purchase price for acquisition of lands in active cultivation. Provides for sale by the Department of Management Services of tangible personal property acquired, and provides for use of sale proceeds for economic and infrastructure redevelopment in the area affected by restoration acquisitions. Establishes the Northwest Orange County Redevelopment Commission to develop a redevelopment plan for the area. Requires submission of the plan to the Governor and Legislature by December 31, 1998. Provides for enterprise zone designation, for a 5-year period, for communities impacted by restoration acquisitions. Provides an appropriation.