Appropriations Subcommittee on Agriculture, Environment, and General Government (Lee) recommended the following:

Senate Amendment (with title amendment)

Before line 27
insert:

Section 1. Subsection (2) of section 337.401, Florida Statutes, is amended to read:

337.401 Use of right-of-way for utilities subject to regulation; permit; fees.—

(2) The authority may grant to any person who is a resident of this state, or to any corporation which is organized under
the laws of this state or licensed to do business within this
state, the use of a right-of-way for the utility in accordance
with such rules or regulations as the authority may adopt. No
utility may not be installed, located, or relocated unless
authorized by a written permit issued by the authority. However,
for public roads or publicly owned rail corridors under the
jurisdiction of the department, a utility relocation schedule
and relocation agreement may be executed in lieu of a written
permit. The permit must require the permitholder to be
responsible for any damage resulting from the issuance of such
permit. The authority may initiate injunctive proceedings as
provided in s. 120.69 to enforce provisions of this subsection
or any rule or order issued or entered into pursuant thereto. A
permit application required by an authority under this section
must be processed and acted upon consistent with the timeframes
provided in subparagraphs (7)(d)7., 8., and 9.

Section 2. Subsection (11) of section 704.06, Florida
Statutes, is amended to read

704.06 Conservation easements; creation; acquisition;
enforcement.—

(11)(a) Nothing in This section or other provisions of law
may not be construed to prohibit or limit the owner of
land, or the owner of a conservation easement over land, to
voluntarily negotiate the sale or use of such lands
or easement for the construction and operation of linear
facilities, including electric transmission and distribution
facilities, telecommunications transmission and distribution
facilities, pipeline transmission and distribution facilities,
public transportation corridors, and related appurtenances, nor
does shall this section prohibit the use of eminent domain for said purposes as established by law. In any legal proceeding to condemn land for the purpose of construction and operation of a linear facility as described above, the court shall consider the public benefit provided by the conservation easement and linear facilities in determining which lands may be taken and the compensation paid.

(b) For any land that has traditionally been used for agriculture, as that term is defined in s. 570.02, and is subject to a conservation easement entered into at any time pursuant to s. 570.71, this section or s. 570.71 may not be construed to limit the owner of the land to voluntarily negotiating the use of the land for any public or private linear facility, right of access, and related appurtenances, and reasonable compensation based on diminution in value of its interest in the conservation easement shall be the only remedy to the owner of the conservation easement for the construction and operation of any public or private linear facilities and related access and appurtenances.

(c) This section does not preclude the applicability of any environmental permitting requirements applicable to a linear facility pursuant to chapters 369-380 or chapter 403 or any agency rules adopted pursuant to those chapters.

And the title is amended as follows:

Delete lines 2 - 3

and insert:

An act relating to essential state infrastructure;
amending s. 337.401, F.S.; specifying permit application timeframes required for the installation, location, or relocation of utilities within rights-of-way; amending s. 704.06, F.S.; providing construction relating to the rights of an owner of land that has been traditionally used for agriculture and is subject to a conservation easement; creating s. 366.945, F.S.; providing