

HB 813 — Everglades Restoration

by Reps. Dockery, Greenstein, Lacasa, Goodlette, Harrington, Atwater, Alexander, Gannon, and others (CS/SB 684 by Appropriations Committee; Natural Resources Committee; and Senators Saunders, Constantine, and Pruitt)

This bill provides an alternative to the existing mechanism for funding the state's annual \$100 million share for Everglades restoration through the Comprehensive Everglades Restoration Plan (CERP). The bill authorizes the issuance of not more than \$100 million in Everglades restoration bonds annually in FY 2002-2003 through 2010, unless the Department of Environmental Protection indicates that the opportunity to achieve cost savings or accelerate the purchase of land warrants additional bond sales. The bond funding may be used in combination with any other state funds. No bonds may be issued unless the Legislature appropriates the first year's debt service. The bonds will be retired using currently unallocated documentary stamp tax proceeds.

The bill deletes a requirement that \$25 million of the South Florida Water Management District's Florida Forever funding be deposited into the Save Our Everglades Trust Fund and be counted toward the state's share of the CERP and requires the \$50 million already so deposited to be used to implement the CERP.

The bill also includes provisions amending s. 373.114, F.S., that prohibit an appeal to the Government and Cabinet sitting as the Land and Water Adjudatory Commission (commission) from a final order resulting from a water management district evidentiary hearing. The commission is authorized to remand a case for a formal evidentiary hearing should additional findings of fact be required.

Section 403.412(5), F.S., (the Environmental Protection Act) is amended to prohibit a citizen from using the act to initiate administrative proceedings under ch. 120, F.S. The change does not limit a person's existing right to initiate ch. 120, F.S., proceedings if the person meets existing standing requirements, although the bill specifies that a person initiating an action need not demonstrate any special injury different in kind from the general public. An exception is provided for any Florida not-for-profit environmental corporation having 25 members residing in the affected county, which may continue to use the act to initiate ch. 120, F.S., proceedings if the corporation has been in existence for at least one year prior to the filing of the application at issue.

In a matter pertaining to a federally delegated or approved program, a citizen of the state may also initiate an administrative proceeding using the act if the citizen meets the standing requirements for judicial review of a case or controversy pursuant to Art. III, United States Constitution.

If approved by the Governor, except as otherwise provided, these provisions take effect July 1, 2002.

Vote: Senate 38-0; House 87-30

CS/HB 851 — Solid Waste Management

by Ready Infrastructure Council and Rep. Dockery and others (CS/CS/CS/SB 710 by Appropriations Committee; Finance & Taxation Committee; Natural Resources Committee; and Senator Pruitt)

This bill provides for the reallocation of the sales tax proceeds that are currently deposited into the Solid Waste Management Trust Fund. Under this bill, these proceeds (approximately \$30 million annually) will be deposited into the Ecosystem Management and Restoration Trust Fund to be used for water quality improvement and water restoration projects. The Solid Waste Management Trust Fund would then be funded almost exclusively from existing fees on tires purchased at retail. The requirement that the state solid waste program must provide guidelines for the collection and transportation of solid waste is deleted. The requirement that the state solid waste management program be updated every 3 years is deleted.

The detailed language regarding what information the counties must submit to the Department of Environmental Protection (DEP) annually is deleted. Instead, the DEP would periodically seek information from the counties to evaluate and report on the success of meeting the solid waste reduction goal.

The counties must implement a recyclable materials recycling program; however, the counties are no longer required to recover a majority of the “minimum five.” Instead, they are encouraged to recover a significant portion of at least four of the following materials: newspaper, aluminum cans, steel cans, glass, plastic bottles, cardboard, office paper, and yard trash. Local governments which operate permitted waste-to-energy facilities may retrieve ferrous and nonferrous metal as a byproduct of combustion. Counties are encouraged to consider plans for composting or mulching of organic materials and work in partnership with the private sector. Specific language regarding the amount of construction and demolition debris, yard trash, white goods, and tires that may be considered when determining the 30 percent waste reduction goal is deleted. A small county is redefined for the purposes of having to provide an opportunity to recycle in lieu of achieving the 30 percent goal. The provisions relating to the information counties must submit to the DEP are streamlined.

Construction and demolition debris must be separated from the solid waste stream in separate locations at a solid waste disposal facility or other permitted site. For clarification, the permit section, s. 403.707, F.S., was amended to provide that no facility that uses processed yard trash or clean wood or paper waste as a fuel source is deemed to be a solid waste disposal facility. These provisions currently exist and are moved from other sections in ch. 403, F.S.

The Solid Waste Management Trust Fund's purposes are refocused toward the core solid waste management responsibilities of the Department of Environmental Protection, funding for mosquito control activities in the Department of Agriculture and Consumer Services, and a new competitive and innovative solid waste management grant program. The department would use the new, reallocated funds in the Ecosystem Management and Restoration Trust Fund for a competitive grant program for water quality improvement and water restoration projects. Specifically, the bill provides that of the annual revenues deposited in the trust fund, unless otherwise specified in the General Appropriations Act:

- Up to 40 percent shall be used for funding solid waste activities of the DEP and other state agencies;
- Up to 4.5 percent shall be used for funding research and training programs relating to solid waste management through the Center for Solid and Hazardous Waste Management and other organizations which can reasonably demonstrate the capability to carry out such projects;
- Up to 11 percent shall be used for funding to supplement any other funds provided to the Department of Agriculture and Consumer Services for mosquito control;
- Up to 4.5 percent shall be used for funding to the Department of Transportation for litter prevention and control programs coordinated by Keep Florida Beautiful, Inc.;
- A minimum of 40 percent shall be used for funding a competitive and innovative grant program pursuant to s. 403.7095, F.S., relating to recycling and reducing the volume of municipal solid waste, including waste tires requiring final disposal.

The DEP is required to develop a competitive and innovative solid waste management grant program for eligible recipients – counties, municipalities, special districts, and non-profit organizations that have legal responsibilities for solid waste management. Potential grant recipients are encouraged to demonstrate local support for grant proposals by the commitment of cash or in-kind matching funds. The new grant program will begin with FY 2003-2004.

The DEP shall develop a consolidated grant program for small counties having populations fewer than 100,000, with grants to be distributed equally among eligible counties.

The DEP shall also develop a waste tire grant program making grants available to all counties. The department shall ensure that at least 25 percent of the funding available for waste tire grants is distributed equally to each county having a population fewer than 100,000. Of the remaining funds distributed to counties having a population of 100,000 or greater, the department shall distribute those funds on the basis of population.

From the funds available for the solid waste management grants program, the distribution is to be as follows:

- Up to 15 percent for the competitive and innovative grant program;
- Up to 35 percent for the consolidated grant program for small counties; and
- Up to 50 percent for the waste tire grant program.

The DEP is directed to develop a competitive grant program that would use the \$30 million annually transferred from the sales tax proceeds to the Ecosystem Management and Restoration Trust Fund for projects that improve water quality and restore lakes and rivers impacted by pollution. Beginning in FY 2003-2004, the DEP shall evaluate the annual grant proposals and present the annual list of projects recommended to be funded to the Governor and the Legislature as part of its annual budget request. At least 20 percent of the funds available shall be used for projects to assist financially disadvantaged small local governments. No later than February 1 of each year, projects submitted for funding through the legislative process shall be submitted to the department by the appropriate fiscal committees of the House of Representatives and the Senate. The department shall review the projects for funding eligibility and must, no later than March 1 of each year, provide each fiscal committee with a list of projects that meet the eligibility requirements under this grant program.

If approved by the Governor, except as otherwise provided in the bill, these provisions take effect July 1, 2002.

Vote: Senate 36-0; House 116-0

CS/HB 1085 — Fish and Wildlife Conservation Commission (Licenses and Fees)

by Ready Infrastructure Council and Rep. Baxley and others (CS/CS/SB 354 by Appropriations Committee; Finance & Taxation Committee; and Senator Pruitt)

This bill reorganizes the provisions relating to recreational saltwater fishing licenses and freshwater fishing license and merges them into ch. 372, F.S. There are several provisions that would improve the Fish and Wildlife Conservation Commission's customer service, including the creation of a Gold Sportsman's license which is an annual license that includes all saltwater fishing, freshwater fishing, and hunting licenses and permits. The price is the same as buying the licenses and permits separately, but the customer actually will save because only one administrative fee will be charged.

Provided in the bill is a statement of legislative intent that all citizens of Florida have a right to hunt, fish, and take game.

Other provisions include:

- Allowing a person cited for a violation of not having a photo identification and boater safety identification in his possession while operating a vessel may have the case dismissed by the clerk of the court for a \$5 dismissal fee.
- Allowing a person cited for a violation of not having a license in his or her possession to have the case dismissed by the clerk of the court for a \$5 dismissal fee.
- Allowing the commission to establish a process and vendor fee for credit-card purchases of license, permits, and authorization numbers over the telephone and a process and vendor for the electronic sale of licenses, permits, and authorization numbers. Various provisions relating to subagents are modified to conform to the possible development of an automatic license process.
- Effective July 1, 2003, reducing the fees paid to tax collectors for licenses sold by subagents to help pay for the system. At that time, tax collectors will no longer have to supervise subagents. Subagents will be appointed by the commission instead of the tax collectors.
- Allowing fishing in the Rainbow River, except within that portion of the Rainbow Springs State Park lying within a radius of 1700 feet from the head of Rainbow Springs.

If approved by the Governor, except as otherwise provided in the bill, these provisions take effect July 1, 2002.

Vote: Senate 38-0; House 114-0

CS/HB 1243 — Fish and Wildlife Conservation Commission

by Ready Infrastructure Council and Rep. Pickens (CS/CS/SB 556 by Judiciary Committee; Natural Resources Committee; and Senator Smith)

This bill includes a number of features primarily designed to increase the effectiveness of marine law enforcement by the Fish and Wildlife Conservation Commission (FWC). Major provisions include:

- Changes to deter violation of the constitutional limitations on nets, including restricting the presence of previous violators on boats involved in specified activities and prohibiting the knowing sale or purchase of illegally netted fish;
- Revisions to the FWC's forfeiture procedures. Amendments to s. 370.061, F.S., and s. 372.9901, F.S., provide increased protection to innocent parties whose property is used in crimes, consolidate and revise procedures, and provide increased discretion to the court in determining whether property should be forfeited for night hunting by certain first-time offenders;

- Increased penalties for knowingly selling or purchasing illegally harvested marine species;
- Authorization for the suspension or revocation of a saltwater products license (SPL) used by another for illegal activities, after notice to the licensee of such use;
- Designation of theft of freshwater gear or the contents of such gear as a third degree felony; and
- Authorization for a physician's written statement to qualify a disabled commercial fisher for an exemption from income requirements for a restricted species endorsement on an SPL.

In addition, the bill includes provisions specifying that the FWC may adopt rules regulating motorboat traffic for manatee protection only where manatee sightings are frequent and the best available scientific and other specified information supports the conclusion that manatees inhabit an area on a regular basis.

Except for emergency rules, all new proposed rules regulating motorboat operation for manatee protection must be reviewed by a local committee established by the county commission of an affected county. The committee must be equally balanced between manatee advocates and waterway users and its written recommendation may be submitted as evidence in a proceeding and must be considered by the FWC in its rulemaking.

The bill requires the counties identified in the Governor and Cabinet's October 1989 Policy Directive to develop manatee protection plans (MPPs) by July 1, 2004, and directs the FWC to designate other counties where manatees are at substantial risk. A substantial risk county must complete a MPP by July 1, 2006. A county required to adopt a MPP must incorporate the boating facility siting element of the plan into its comprehensive plan.

By February 15, 2003, the FWC must develop a measurable biological goal to define manatee recovery. The goal will be used by the FWC in developing management plans, evaluating rules, and determining progress in manatee recovery. Finally, the FWC must conduct standardized studies to determine public compliance with manatee protection rules; the information will be used to develop and implement law enforcement initiatives and boater education plans.

If approved by the Governor, these provisions take effect July 1, 2002.

Vote: Senate 33-0; House 116-0

CS/SB 678 — Pollution Reduction

by Natural Resources Committee and Senator Pruitt

This bill allows the Department of Environmental Protection to develop and voluntarily implement best management practices or other measures for any water body or segment for which a total maximum daily load or allocation has not been established.

The bill provides that the signing of a permit application by a person currently licensed as a professional engineer shall not make that person an agent of the owner or tenant with regard to dredge and fill or stormwater violations or mangrove trimming violations.

This bill provides that projects that make use of private lands, or lands held in trust for Indian tribes, to reduce nutrient loadings or concentrations within a basin by certain specified methods are eligible for grants available from the coordinating agencies in the Lake Okeechobee watershed. For projects of otherwise equal priority, funding priority will be given to projects that make the best use of the specified methods that involve public/private partnerships or that obtain federal match money. Grant applications may be submitted by any person or tribal entity, and eligible projects may include, but are not limited to, the purchase of conservation and flowage easements, hydrologic restoration of wetlands, creating treatment wetlands, development of a management plan for natural resources, and financial support to implement a management plan.

The Department of Health shall require all entities disposing of septage within the Lake Okeechobee watershed to develop and submit to that agency by July 1, 2003, an agricultural use plan that limits applications based upon phosphorus loading. By July 1, 2005, phosphorus concentrations originating from these application sites shall not exceed the limits established in the district's "works of the district" (WOD) program. Similarly, phosphorous concentrations originating from entities disposing of domestic wastewater residuals within the watershed shall not exceed the limits established in the district's WOD program by July 1, 2005.

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

Vote: Senate 38-0; House 116-0

CS/SB 508 — Environmental Control

by Natural Resources Committee and Senator Brown-Waite

This bill provides that a permit is not required for the removal of aquatic plants, the removal of tussocks, the associated replanting of indigenous aquatic plants, and the associated removal from lakes of organic detrital matter when such planting or removal is performed and authorized by an exemption provided that certain conditions are met:

- Organic detrital material that exists on the surface of natural mineral substrate shall be allowed to be removed to a depth of 3 feet or to the natural mineral substrate, whichever is less;
- All material removed shall generally be deposited in an upland site in a manner that will prevent the reintroduction of the material into waters in the state;
- All activities are to be performed in a manner consistent with state water quality standards; and
- No activities under an exemption are conducted in wetland areas that are supported by a natural soil as shown in applicable U.S. Department of Agriculture county soil surveys, except when a governmental entity is permitted to conduct such activities as part of a restoration or enhancement project.

The bill further provides that, notwithstanding any provision to the contrary in subsection 403.813(2), F.S., a permit or other authorization under chs. 253, 369, 373, or 403, F.S., is not required for an individual residential property owner for the removal of organic detrital material from freshwater rivers or lakes that have a natural sand or rocky substrate and that are not aquatic preserves, or for the associated removal and replanting of aquatic vegetation for the purpose of environmental enhancement provided that:

- No activities under this exemption are conducted in wetland areas that are supported by a natural soil as shown in applicable U.S. Department of Agriculture county soil surveys.
- No filling or peat mining is allowed.
- No removal of native wetland trees, including, but not limited to, ash, bay, cypress, gum, maple, or tupelo, occurs.
- When removing organic detrital material, no portion of the underlying natural mineral soils or rocky substrate is removed.
- Organic detrital material and plant material removed is deposited in an upland site in a manner that will not cause water-quality violations.
- All activities are conducted in such a manner and with appropriate turbidity controls to prevent any water-quality violations outside of the immediate work area.
- Replanting with a variety of aquatic plants native to Florida shall occur in a minimum of 25 percent of the preexisting vegetated areas where organic detrital material is removed, except for areas where the material is removed to bare rocky substrate. However, an area may be maintained clear of vegetation as an access corridor. The access corridor width

may not exceed 50 percent of the property owner's frontage or 50 feet, whichever is less, and may be a sufficient length waterward to create a corridor to allow access for a boat or swimmer to reach open water. Replanting must be at a minimum density of 2 feet on center and be completed within 90 days after removal of existing aquatic vegetation, except that under dewatered conditions replanting must be completed within 90 days after reflooding. The area to be replanted must extend waterward from the ordinary high water line to a point where normal water depth would be 3 feet or to the preexisting vegetation line, whichever is less. Individuals are required to make a reasonable effort to maintain planting density for a period of 6 months after replanting is complete and the plants, including naturally recruited native aquatic plants, must be allowed to expand and fill in the revegetation area. Native aquatic plants to be used for revegetation must be salvaged from the enhancement project site or obtained from an aquatic plant nursery regulated by the Department of Agriculture and Consumer Services. Plants that are not native to Florida may not be used for replanting.

- No activity occurs any farther than 100 feet waterward of the ordinary high water line; and all activities must be designed and conducted in a manner that will not unreasonably restrict or infringe upon the riparian rights of adjacent upland riparian owners.
- The person seeking this exemption notifies the applicable DEP district office in writing at least 30 days before commencing work and allows the department to conduct a preconstruction site inspection. Notice must include an organic-detrital-material removal and disposal plan and, if applicable, a vegetation-removal and revegetation plan.

The DEP is provided written certification of compliance with the terms and conditions of these provisions within 30 days after completion of any activity occurring under this exemption.

This bill also provides a permit exemption for a floating vessel platform or floating boat lift if such structures:

- Float at all times in the water for the sole purpose of supporting a vessel so that the vessel is out of the water when not in use;
- Are wholly contained within a boat slip previously permitted under ss. 403.91-403.929, 1984 Supplement to the Florida Statutes 1983, as amended, or part IV of ch. 373, F.S., or, when associated with a dock that is exempt under s. 403.812(2), F.S., or a permitted dock with no defined boat slip, do not exceed a combined total of 500 square feet, or 200 square feet in an Outstanding Florida Water;
- Are not used for any commercial purpose or for mooring vessels that remain in the water when not in use, and do not substantially impede the flow of water, create a navigational hazard, or unreasonably infringe upon the riparian rights of adjacent property owners;

- Are constructed and used so as to minimize adverse impacts to submerged lands, wetlands, shellfish areas, aquatic plant and animal species, and other biological communities, including locating such structures in areas where no seagrasses exist if such areas are present and adjacent to the dock; and
- Are not constructed in areas specifically prohibited for boat mooring under conditions of a permit issued in accordance with ss. 403.91-403.929, 1984 Supplement to the Florida Statutes 1983, as amended, or part IV of ch. 373, F.S., or other form of authorization issued by a local government.

Structures that qualify for this exemption are relieved from any requirement to obtain permission to use or occupy lands owned by the Board of Trustees of the Internal Improvement Trust Fund (Trustees) and are not subject to any more stringent regulation by any local government.

By January 1, 2003, the DEP shall adopt a general permit by rule for those floating vessel platforms which do not qualify for the exemptions, but do not cause significant adverse impacts to occur individually or cumulatively. The issuance of a general permit also constitutes permission to use or occupy lands owned by the Trustees. Upon the adoption of the rule creating such a general permit, no local government may impose a more stringent regulation on floating vessel platforms covered by the general permit.

The DEP and the Fish and Wildlife Conservation Commission are required to jointly prepare a report evaluating the effects of implementing the exemption for the removal of detrital material on the overall water quality and aquatic and fishery habitat of waterbodies where the statutory exemptions have been utilized. The report is to be submitted to the Governor and the Legislature by November 1, 2004, and shall contain recommendations for improving the implementation of these provisions.

If approved by the Governor, these provisions take effect July 1, 2002.

Vote: Senate 38-1; House 112-0

CS/HB 1285 — Environmental Protection

by Ready Infrastructure Council and Rep. Clarke and others (CS/SB 510 by Natural Resources Committee and Senator Brown-Waite)

This bill requires the Department of Environmental Protection (DEP) and the water management districts to develop a uniform wetland mitigation assessment method. The DEP and the water management districts must develop a uniform mitigation assessment method for wetlands and other surface waters. The date by which the DEP must adopt by rule the wetland mitigation assessment method is extended from January 31, 2002, to July 31, 2002. The rule shall provide an exclusive and consistent process for determining the amount of mitigation required to offset impacts to wetlands and other surface waters, and once effective, shall supercede all rules,

ordinances, and variance procedures from ordinances that determine the amount of mitigation needed to offset such impacts. Deletes an obsolete provision that required the Office of Program Policy Analysis and Government Accountability to conduct a cumulative impact study.

Any water management district or the DEP may exempt from permit regulation under part IV, ch. 373, F.S., relating to the management and storage of surface waters, any system for a mining or mining related activity that is described in or covered by an exemption confirmation letter issued by the district pursuant to applicable rules implementing part IV that were in effect at the time the letter was issued, if it will not be harmful to the water resources. The rules may include provisions for the duration of this exemption.

Pursuant to Chapter 2000-304, L.O.F., the DEP was required to submit a copy of Chapter 2000-304, L.O.F., relating to Florida's revision to its Title V, Clean Air Act air emissions program with regard to citrus juice processing facilities to the Environmental Protection Agency (EPA) for its approval by February 1, 2001. If the EPA did not approve Florida's revisions within 2 years after submittal (by February 1, 2003), then Chapter 2000-304, L.O.F., would not take effect with regard to citrus processing facilities. Because of a change in the administration at the EPA, it has not acted on approving the revisions to Florida's program. The bill extends the time the EPA has to approve the revisions by one year to February 1, 2004.

The permit exemption for maintenance dredging activities is clarified to allow for better management of return flow waters.

The bill also provides for a permit exemption for a floating vessel platform or floating boat lift if such structures:

- Float at all times in the water for the sole purpose of supporting a vessel so that the vessel is out of the water when not in use;
- Are wholly contained within a boat slip previously permitted under ss. 403.91-403.929, 1984 Supplement to the Florida Statutes 1983, as amended, or part IV of ch. 373, F.S., or, when associated with a dock that is exempt under s. 403.812(2), F.S., or a permitted dock with no defined boat slip, do not exceed a combined total of 500 square feet, or 200 square feet in an Outstanding Florida Water;
- Are not used for any commercial purpose or for mooring vessels that remain in the water when not in use, and do not substantially impede the flow of water, create a navigational hazard, or unreasonably infringe upon the riparian rights of adjacent property owners;
- Are constructed and used so as to minimize adverse impacts to submerged lands, wetlands, shellfish areas, aquatic plant and animal species, and other biological communities, including locating such structures in areas where no seagrasses exist if such areas are present adjacent to the dock; and

- Are not constructed in areas specifically prohibited for boat mooring under conditions of a permit issued in accordance with ss. 403.91-403.929, 1984 Supplement to the Florida Statutes 1983, as amended, or part IV of ch. 373, F.S., or other form of authorization issued by a local government.

Structures that qualify for this exemption are relieved from any requirement to obtain permission to use or occupy lands owned by the Board of Trustees of the Internal Improvement Trust Fund (Trustees) and are not subject to any more stringent regulation by any local government.

By January 1, 2003, the DEP shall adopt a general permit by rule for those floating vessel platforms that do not qualify for the exemptions, but do not cause significant adverse impacts to occur individually or cumulatively. The issuance of a general permit also constitutes permission to use or occupy lands owned by the Trustees. Upon the adoption of the rule creating such a general permit, no local government may impose a more stringent regulation on floating vessel platforms covered by the general permit.

Further, a permit exemption is provided for the repair, stabilization, or paving of existing county maintained roads and the repair or replacement of bridges that are part of the roadway within the Northwest Florida Water Management District if certain conditions are met. Those conditions include:

- The road and associated bridge had to be in existence and in use as a public road or bridge, and maintained by the county as a public road or bridge on or before January 1, 2002.
- The construction activity does not realign the road or expand the number of existing traffic lanes of the existing road. However, the work may include the provision of safety shoulders, clearance of vegetation, and other work reasonably necessary to repair, stabilize, pave, or repave the road, provided the work is constructed by generally accepted engineering standards.
- The construction activity does not expand the existing width of an existing vehicular bridge in excess of that reasonably necessary to properly connect the bridge with the road being repaired, stabilized, paved, or repaved to safely accommodate the traffic expected on the road, which may include expanding the width of the bridge to match the existing connected road. However, no debris from the original bridge shall be allowed to remain in waters of the state, including wetlands.
- Best management practices for erosion control must be used to prevent water quality violations.

- Roadside swales or other effective means of stormwater treatment must be incorporated as part of the project.
- No more dredging or filling of wetlands or waters of the state is performed than that which is reasonably necessary to repair, stabilize, pave, or repave the road or to repair or replace the bridge, in accordance with generally accepted engineering standards.

The DEP is required to submit a report to the Governor and the Legislature by March 1, 2004, to evaluate the effects of this exemption and make recommendations for the exemption to apply statewide.

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

Vote: Senate 36-0; House 108-9

HB 1963 — Florida Coastal Management Program

by Fiscal Responsibility Council and Rep. Johnson (CS/SB 1064 by Natural Resources Committee and Senator Brown-Waite)

This bill transfers the Florida Coastal Management Program from the Department of Community Affairs (DCA) to the Department of Environmental Protection (DEP) by a type two transfer. It also requires the DEP, rather than the DCA, to assume responsibility for coordinating with the Department of State in matters relating to the rehabilitation of lighthouses.

If approved by the Governor, these provisions take effect July 1, 2002.

Vote: Senate 36-1; House 112-0

