

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Boyd offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. (1) The following trust funds within the Department of Environmental Protection are terminated:

(a) The Conservation and Recreation Lands Trust Fund, FLAIR number 37-2-131.

(b) The Ecosystem Management and Restoration Trust Fund, FLAIR number 37-2-193.

(c) The Florida Communities Trust Fund, FLAIR number 37-2-244.

(d) The Florida Preservation 2000 Trust Fund, FLAIR number 37-2-332.

272503

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Amendment No.

15 (e) The Water Management Lands Trust Fund, FLAIR number
16 37-2-776.

17 (2) All current balances remaining in, and all revenues
18 of, the Conservation and Recreation Lands Trust Fund shall be
19 transferred to the General Revenue Fund.

20 (3) All current balances remaining in, and all revenues
21 of, the Ecosystem Management and Restoration Trust Fund shall be
22 transferred to the General Revenue Fund, except for balances
23 associated with the Reef Grounding Program and the Pollution
24 Recovery Restricted Accounts, which shall be transferred to the
25 Water Quality Assurance Trust Fund, FLAIR number 37-2-780.

26 (4) All current balances remaining in, and all revenues
27 of, the Water Management Lands Trust Fund shall be transferred
28 to the General Revenue Fund, except for balances associated with
29 debt service on bonds issued before February 1, 2009, by the
30 South Florida Water Management District and the St. Johns River
31 Water Management District, which shall be transferred to the
32 Land Acquisition Trust Fund, FLAIR number 37-2-423.

33 (5) All current balances remaining in, and all revenues
34 of, the Florida Communities Trust Fund and the Florida
35 Preservation 2000 Trust Fund shall be transferred to the Land
36 Acquisition Trust Fund, FLAIR number 37-2-423.

37 (6) The Department of Environmental Protection shall pay
38 any outstanding debts or obligations of the terminated trust
39 funds as soon as practicable, and the Chief Financial Officer
40 shall close out and remove the terminated trust funds from

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

41 various state accounting systems using generally accepted
42 accounting principles concerning warrants outstanding, assets,
43 and liabilities.

44 Section 2. (1) The Conservation and Recreation Lands
45 Program Trust Fund within the Department of Agriculture and
46 Consumer Services is terminated, FLAIR number 42-2-931.

47 (2) The Department of Agriculture and Consumer Services
48 shall pay any outstanding debts or obligations of the terminated
49 trust fund as soon as practicable, and the Chief Financial
50 Officer shall close out and remove the terminated trust fund
51 from various state accounting systems using generally accepted
52 accounting principles concerning warrants outstanding, assets,
53 and liabilities.

54 Section 3. (1) The Conservation and Recreation Lands
55 Program Trust Fund within the Fish and Wildlife Conservation
56 Commission is terminated, FLAIR number 77-2-931.

57 (2) The Fish and Wildlife Conservation Commission shall
58 pay any outstanding debts or obligations of the terminated trust
59 fund as soon as practicable, and the Chief Financial Officer
60 shall close out and remove the terminated trust fund from
61 various state accounting systems using generally accepted
62 accounting principles concerning warrants outstanding, assets,
63 and liabilities.

64 Section 4. Paragraph (c) of subsection (3) of section
65 17.61, Florida Statutes, is amended to read:

272503

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Amendment No.

66 17.61 Chief Financial Officer; powers and duties in the
67 investment of certain funds.—

68 (3)

69 (c) Except as provided in this paragraph and except for
70 moneys described in paragraph (d), the following agencies may
71 not invest trust fund moneys as provided in this section, but
72 shall retain such moneys in their respective trust funds for
73 investment, with interest appropriated to the General Revenue
74 Fund, pursuant to s. 17.57:

75 1. The Agency for Health Care Administration, except for
76 the Tobacco Settlement Trust Fund.

77 2. The Agency for Persons with Disabilities, except for:

78 a. The Federal Grants Trust Fund.

79 b. The Tobacco Settlement Trust Fund.

80 3. The Department of Children and Families, except for:

81 a. The Alcohol, Drug Abuse, and Mental Health Trust Fund.

82 b. The Social Services Block Grant Trust Fund.

83 c. The Tobacco Settlement Trust Fund.

84 d. The Working Capital Trust Fund.

85 4. The Department of Corrections.

86 5. The Department of Elderly Affairs, except for:

87 a. The Federal Grants Trust Fund.

88 b. The Tobacco Settlement Trust Fund.

89 6. The Department of Health, except for:

90 a. The Federal Grants Trust Fund.

91 b. The Grants and Donations Trust Fund.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

92 c. The Maternal and Child Health Block Grant Trust Fund.

93 d. The Tobacco Settlement Trust Fund.

94 7. The Department of Highway Safety and Motor Vehicles,
95 only for the Security Deposits Trust Fund.

96 8. The Department of Juvenile Justice.

97 9. The Department of Law Enforcement.

98 10. The Department of Legal Affairs.

99 11. The Department of State, only for:

100 a. The Grants and Donations Trust Fund.

101 b. The Land Acquisition Trust Fund.

102 c.~~b.~~ The Records Management Trust Fund.

103 12. The Department of Economic Opportunity, only for the
104 Economic Development Trust Fund.

105 13. The Florida Public Service Commission, only for the
106 Florida Public Service Regulatory Trust Fund.

107 14. The Justice Administrative Commission.

108 15. The state courts system.

109 16. The Department of Agriculture and Consumer Services,
110 only for the Land Acquisition Trust Fund.

111 17. The Department of Environmental Protection, only for
112 the Land Acquisition Trust Fund.

113 18. The Fish and Wildlife Conservation Commission, only
114 for the Land Acquisition Trust Fund.

115 Section 5. Subsection (3) of section 161.054, Florida
116 Statutes, is amended to read:

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

117 161.054 Administrative fines; liability for damage;
118 liens.-

119 (3) The imposition of a fine or an award of damages
120 pursuant to this section shall create a lien upon the real and
121 personal property of the violator, enforceable by the department
122 as are statutory liens under chapter 85. The proceeds of such
123 fines and awards of damages shall be deposited in the Florida
124 Coastal Protection Ecosystem Management and Restoration Trust
125 Fund.

126 Section 6. Subsections (1) and (3) of section 161.091,
127 Florida Statutes, are amended to read:

128 161.091 Beach management; funding; repair and maintenance
129 strategy.-

130 (1) Subject to such appropriations as the Legislature may
131 make therefor from time to time, disbursements from the Land
132 Acquisition Ecosystem Management and Restoration Trust Fund may
133 be made by the department in order to carry out the proper state
134 responsibilities in a comprehensive, long-range, statewide beach
135 management plan for erosion control; beach preservation,
136 restoration, and nourishment; ~~and~~ storm and hurricane
137 protection; and other activities authorized for beaches and
138 shores pursuant to s. 28, Art. X of the State Constitution.
139 Legislative intent in appropriating such funds is for the
140 implementation of those projects that contribute most
141 significantly to addressing the state's beach erosion problems.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

142 (3) In accordance with the intent expressed in s. 161.088
143 and the legislative finding that erosion of the beaches of this
144 state is detrimental to tourism, the state's major industry,
145 further exposes the state's highly developed coastline to severe
146 storm damage, and threatens beach-related jobs, which, if not
147 stopped, may significantly reduce state sales tax revenues,
148 funds deposited into the State Treasury to the credit of the
149 Land Acquisition Trust Fund may be used ~~the Ecosystem Management~~
150 ~~and Restoration Trust Fund, in the annual amounts provided in s.~~
151 ~~201.15, shall be used, for a period of not less than 15 years,~~
152 to fund the development, implementation, and administration of
153 the state's beach management plan, as provided in ss. 161.091-
154 161.212 and as authorized under s. 28, Art. X of the State
155 Constitution, ~~prior to the use of such funds deposited pursuant~~
156 ~~to s. 201.15 in that trust fund for any other purpose.~~

157 Section 7. Section 201.0205, Florida Statutes, is amended
158 to read:

159 201.0205 Counties that have implemented ch. 83-220;
160 inapplicability of 10-cent tax increase by s. 2, ch. 92-317,
161 Laws of Florida.—The 10-cent tax increase in the documentary
162 stamp tax levied by s. 2, chapter 92-317, does not apply to
163 deeds and other taxable instruments relating to real property
164 located in any county that has implemented the provisions of
165 chapter 83-220, Laws of Florida, as amended by chapters 84-270,
166 86-152, and 89-252, Laws of Florida. Each such county and each
167 eligible jurisdiction within such county shall not be eligible

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

168 to participate in programs funded pursuant to s. 201.15(5)(d)
169 ~~201.15(9)~~. However, each such county and each eligible
170 jurisdiction within such county shall be eligible to participate
171 in programs funded pursuant to s. 201.15(5)(e) ~~201.15(10)~~.

172 Section 8. Section 201.15, Florida Statutes, is amended to
173 read:

174 201.15 Distribution of taxes collected.—

175 (1) All taxes collected under this chapter are hereby
176 pledged and shall first be made available to make payments when
177 due on bonds issued pursuant to s. 215.618 or s. 215.619 as
178 provided in paragraphs (3)(a) and (b), or any other bonds
179 authorized to be issued on a parity basis with such bonds.
180 Amounts necessary to make such payments shall be deposited into
181 the Land Acquisition Trust Fund subject to the service charge
182 ~~imposed in s. 215.20(1). Before distribution under this section,~~
183 ~~the Department of Revenue shall deduct amounts necessary to pay~~
184 ~~the costs of the collection and enforcement of the tax levied by~~
185 ~~this chapter. Such costs and the service charge may not be~~
186 ~~levied against any portion of taxes pledged to debt service on~~
187 ~~bonds to the extent that the costs and service charge are~~
188 ~~required to pay any amounts relating to the bonds. After~~
189 ~~distributions are made pursuant to subsection (1), all of the~~
190 ~~costs of the collection and enforcement of the tax levied by~~
191 ~~this chapter and the service charge shall be available and~~
192 ~~transferred to the extent necessary to pay debt service and any~~
193 ~~other amounts payable with respect to bonds authorized before~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

194 ~~January 1, 2015, secured by revenues distributed pursuant to~~
195 ~~subsection (1). All taxes remaining after deduction of costs and~~
196 ~~the service charge shall be distributed as follows:~~

197 (2) From taxes remaining after payments required pursuant
198 to subsection (1), the Department of Revenue shall deduct
199 amounts necessary to pay the costs of the collection and
200 enforcement of the tax levied pursuant to this chapter.

201 (3) Before any other amount is deducted or deposited into
202 a trust fund, there shall be deposited into the Land Acquisition
203 Trust Fund 33 percent of all taxes collected after first
204 deducting amounts paid under subsection (2), which amount shall
205 then be reduced by amounts paid under subsection (1). Amounts
206 deposited into the Land Acquisition Trust Fund shall be used in
207 the following order:

208 ~~(1) Sixty three and thirty one hundredths percent of the~~
209 ~~remaining taxes shall be used for the following purposes:~~

210 (a) ~~To pay Amounts necessary to pay the debt service on,~~
211 ~~or fund debt service reserve funds, rebate obligations, or other~~
212 ~~amounts payable with respect to Preservation 2000 bonds issued~~
213 ~~pursuant to s. 375.051 and Florida Forever bonds issued pursuant~~
214 ~~to s. 215.618, shall be paid into the State Treasury to the~~
215 ~~credit of the Land Acquisition Trust Fund to be used for such~~
216 ~~purposes. The amount transferred to the Land Acquisition Trust~~
217 ~~Fund may not exceed \$300 million in fiscal year 1999-2000 and~~
218 ~~thereafter for Preservation 2000 bonds and bonds issued to~~
219 ~~refund Preservation 2000 bonds, and \$300 million in fiscal year~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

220 ~~2000-2001 and thereafter for Florida Forever bonds. The annual~~
221 ~~amount used for such purpose transferred to the Land Acquisition~~
222 ~~Trust Fund for Florida Forever bonds may not exceed \$300 \$30~~
223 ~~million in each the first fiscal year, in which bonds are~~
224 ~~issued. The limitation on the amount transferred shall be~~
225 ~~increased by an additional \$30 million in each subsequent fiscal~~
226 ~~year, but may not exceed a total of \$300 million in any fiscal~~
227 ~~year for all bonds issued. It is the intent of the Legislature~~
228 ~~that all bonds issued to fund the Florida Forever Act be retired~~
229 ~~by December 31, 2040. Except for bonds issued to refund~~
230 ~~previously issued bonds, no series of bonds may be issued~~
231 ~~pursuant to this paragraph unless such bonds are approved and~~
232 ~~the debt service for the remainder of the fiscal year in which~~
233 ~~the bonds are issued is specifically appropriated in the General~~
234 ~~Appropriations Act. For purposes of refunding Preservation 2000~~
235 ~~bonds, amounts designated within this section for Preservation~~
236 ~~2000 and Florida Forever bonds may be transferred between the~~
237 ~~two programs to the extent provided for in the documents~~
238 ~~authorizing the issuance of the bonds. The Preservation 2000~~
239 ~~bonds and Florida Forever bonds are equally and ratably secured~~
240 ~~by moneys distributable to the Land Acquisition Trust Fund~~
241 ~~pursuant to this section, except as specifically provided~~
242 ~~otherwise by the documents authorizing the issuance of the~~
243 ~~bonds. Moneys transferred to the Land Acquisition Trust Fund~~
244 ~~pursuant to this paragraph, or earnings thereon, may not be used~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

245 ~~or made available to pay debt service on the Save Our Coast~~
246 ~~revenue bonds.~~

247 ~~(b) To pay Moneys shall be paid into the State Treasury to~~
248 ~~the credit of the Save Our Everglades Trust Fund in amounts~~
249 ~~necessary to pay debt service on, or fund debt service reserve~~
250 ~~funds, provide reserves, and pay rebate obligations, or and~~
251 ~~other amounts due with respect to bonds issued under s. 215.619.~~
252 ~~Taxes distributed under paragraph (a) and this paragraph must be~~
253 ~~collectively distributed on a pro rata basis when the available~~
254 ~~moneys under this subsection are not sufficient to cover the~~
255 ~~amounts required under paragraph (a) and this paragraph.~~

256 ~~(c) For other purposes authorized by s. 28, Art. X of the~~
257 ~~State Constitution.~~

258
259 ~~Bonds issued pursuant to ss. 215.618 and 215.619 are equally and~~
260 ~~ratably secured by moneys distributed to the Land Acquisition~~
261 ~~Trust Fund pursuant to this section.~~

262 ~~(4) All taxes remaining after the distributions pursuant~~
263 ~~to subsections (1) and (3) are subject to the service charge~~
264 ~~imposed in s. 215.20(1).~~

265 ~~(5)-(e) After the required distributions pursuant to~~
266 ~~subsections (1)-(4) payments under paragraphs (a) and (b), the~~
267 ~~remainder shall be distributed as provided in this subsection~~
268 ~~and subsections (6) and (7). For purposes of this subsection,~~
269 ~~the term "unadjusted remainder" means an amount equal to 92~~
270 ~~percent of the taxes collected under this chapter less the~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

271 collection and enforcement costs authorized by this section. For
272 purposes of this subsection, the term "adjusted remainder" means
273 an amount calculated by multiplying the unadjusted remainder by
274 0.6331 then deducting the amounts required for payment of debt
275 service pursuant to paragraphs (3) (a) and (b). ~~paid into the~~
276 ~~State Treasury to the credit of:~~

277 (a)1. The State Transportation Trust Fund in the
278 ~~Department of Transportation in the amount of the~~ lesser of 38.2
279 percent of the adjusted remainder or \$541.75 million in each
280 fiscal year shall be paid into the State Treasury to the credit
281 of the State Transportation Trust Fund. ~~Out~~ Of such funds, ~~the~~
282 ~~first \$50 million for the 2012-2013 fiscal year; \$65 million for~~
283 ~~the 2013-2014 fiscal year; and \$75 million for the 2014-2015~~
284 ~~fiscal year and all subsequent years,~~ shall be transferred to
285 the State Economic Enhancement and Development Trust Fund within
286 the Department of Economic Opportunity. Notwithstanding any
287 other provision of law, the remaining amount credited to the
288 State Transportation Trust Fund shall ~~The remainder is to be~~
289 used for the following ~~specified purposes, notwithstanding any~~
290 ~~other law to the contrary:~~

291 1.a. For the purposes of Capital funding for the New
292 Starts Transit Program, authorized by Title 49, U.S.C. s. 5309
293 and specified in s. 341.051, in the amount of 10 percent of the
294 ~~these funds.~~

295 2.b. For the purposes of The Small County Outreach Program
296 specified in s. 339.2818, in the amount of 10 ~~5~~ percent of the

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

297 ~~these funds. Effective July 1, 2014, the percentage allocated~~
298 ~~under this sub-subparagraph shall be increased to 10 percent;~~

299 ~~3.e. For the purposes of The Strategic Intermodal System~~
300 ~~specified in ss. 339.61, 339.62, 339.63, and 339.64, in the~~
301 ~~amount of 75 percent of the funds after deduction of the~~
302 ~~payments required under subparagraphs 1. and 2. these funds~~
303 ~~after allocating for the New Starts Transit Program described in~~
304 ~~sub-subparagraph a. and the Small County Outreach Program~~
305 ~~described in sub-subparagraph b.; and~~

306 ~~4.d. For the purposes of The Transportation Regional~~
307 ~~Incentive Program specified in s. 339.2819, in the amount of 25~~
308 ~~percent of the these funds after deduction of the payments~~
309 ~~required under subparagraphs 1. and 2. allocating for the New~~
310 ~~Starts Transit Program described in sub-subparagraph a. and the~~
311 ~~Small County Outreach Program described in sub-subparagraph b.~~
312 ~~Effective July 1, 2014, The first \$60 million of the funds~~
313 ~~allocated pursuant to this subparagraph sub-subparagraph shall~~
314 ~~be allocated annually to the Florida Rail Enterprise for the~~
315 ~~purposes established in s. 341.303(5).~~

316 ~~(b)2. The Grants and Donations Trust Fund in the~~
317 ~~Department of Economic Opportunity in the amount of the lesser~~
318 ~~of .23 percent of the adjusted remainder or \$3.25 million in~~
319 ~~each fiscal year shall be paid into the State Treasury to the~~
320 ~~credit of the Grants and Donations Trust Fund in the Department~~
321 ~~of Economic Opportunity to fund technical assistance to local~~
322 ~~governments.~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

323 ~~3. The Ecosystem Management and Restoration Trust Fund in~~
324 ~~the amount of the lesser of 2.12 percent of the remainder or \$30~~
325 ~~million in each fiscal year, to be used for the preservation and~~
326 ~~repair of the state's beaches as provided in ss. 161.091-~~
327 ~~161.212.~~

328 ~~(c)4. General Inspection Trust Fund in the amount of The~~
329 ~~lesser of .02 percent of the adjusted remainder or \$300,000 in~~
330 ~~each fiscal year shall be paid into the State Treasury to the~~
331 ~~credit of the General Inspection Trust Fund in the Department of~~
332 ~~Agriculture and Consumer Services to be used to fund oyster~~
333 ~~management and restoration programs as provided in s.~~
334 ~~379.362 (3).~~

335
336 ~~Moneys distributed pursuant to this paragraph may not be pledged~~
337 ~~for debt service unless such pledge is approved by referendum of~~
338 ~~the voters.~~

339 ~~(d) After the required payments under paragraphs (a), (b),~~
340 ~~and (c), the remainder shall be paid into the State Treasury to~~
341 ~~the credit of the General Revenue Fund to be used and expended~~
342 ~~for the purposes for which the General Revenue Fund was created~~
343 ~~and exists by law.~~

344 ~~(2) The lesser of 7.56 percent of the remaining taxes or~~
345 ~~\$84.9 million in each fiscal year shall be distributed as~~
346 ~~follows:~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

347 ~~(a) Six million and three hundred thousand dollars shall~~
348 ~~be paid into the State Treasury to the credit of the General~~
349 ~~Revenue Fund.~~

350 ~~(b) The remainder shall be paid into the State Treasury to~~
351 ~~the credit of the Land Acquisition Trust Fund. Sums deposited in~~
352 ~~the fund pursuant to this subsection may be used for any purpose~~
353 ~~for which funds deposited in the Land Acquisition Trust Fund may~~
354 ~~lawfully be used.~~

355 ~~(3) (a) The lesser of 1.94 percent of the remaining taxes~~
356 ~~or \$26 million in each fiscal year shall be distributed in the~~
357 ~~following order:~~

358 ~~1. Amounts necessary to pay debt service or to fund debt~~
359 ~~service reserve funds, rebate obligations, or other amounts~~
360 ~~payable with respect to bonds issued before February 1, 2009,~~
361 ~~pursuant to this subsection shall be paid into the State~~
362 ~~Treasury to the credit of the Land Acquisition Trust Fund.~~

363 ~~2. Eleven million dollars shall be paid into the State~~
364 ~~Treasury to the credit of the General Revenue Fund.~~

365 ~~3. The remainder shall be paid into the State Treasury to~~
366 ~~the credit of the Land Acquisition Trust Fund.~~

367 ~~(b) Moneys deposited in the Land Acquisition Trust Fund~~
368 ~~pursuant to this subsection shall be used to acquire coastal~~
369 ~~lands or to pay debt service on bonds issued to acquire coastal~~
370 ~~lands and to develop and manage lands acquired with moneys from~~
371 ~~the trust fund.~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

372 ~~(4) The lesser of 4.2 percent of the remaining taxes or~~
373 ~~\$60.5 million in each fiscal year shall be paid into the State~~
374 ~~Treasury to the credit of the Water Management Lands Trust Fund.~~
375 ~~Sums deposited in that fund may be used for any purpose~~
376 ~~authorized in s. 373.59. An amount equal to the amounts~~
377 ~~necessary to pay debt service or to fund debt service reserve~~
378 ~~funds, rebate obligations, or other amounts payable with respect~~
379 ~~to bonds authorized pursuant to s. 215.619(1)(a)2. and the~~
380 ~~proviso associated with Specific Appropriation 1626A of the~~
381 ~~2014-2015 General Appropriations Act shall be transferred~~
382 ~~annually from the Water Management Lands Trust Fund to the~~
383 ~~General Revenue Fund.~~

384 ~~(5) Of the remaining taxes, 3.52 percent shall be paid~~
385 ~~into the State Treasury to the credit of the Conservation and~~
386 ~~Recreation Lands Trust Fund to carry out the purposes set forth~~
387 ~~in s. 259.032. Eleven and fifteen hundredths percent of the~~
388 ~~amount credited to the Conservation and Recreation Lands Trust~~
389 ~~Fund pursuant to this subsection shall be transferred to the~~
390 ~~State Game Trust Fund and used for land management activities.~~

391 ~~(6) The lesser of 2.28 percent of the remaining taxes or~~
392 ~~\$34.1 million in each fiscal year shall be paid into the State~~
393 ~~Treasury to the credit of the Invasive Plant Control Trust Fund~~
394 ~~to carry out the purposes set forth in ss. 369.22 and 369.252.~~

395 ~~(7) The lesser of .5 percent of the remaining taxes or~~
396 ~~\$9.3 million in each fiscal year shall be paid into the State~~
397 ~~Treasury to the credit of the State Game Trust Fund to be used~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

398 ~~exclusively for the purpose of implementing the Lake Restoration~~
399 ~~2020 Program.~~

400 ~~(8) One-half of one percent of the remaining taxes shall~~
401 ~~be paid into the State Treasury and divided equally to the~~
402 ~~credit of the Department of Environmental Protection Water~~
403 ~~Quality Assurance Trust Fund to address water quality impacts~~
404 ~~associated with nonagricultural nonpoint sources and to the~~
405 ~~credit of the Department of Agriculture and Consumer Services~~
406 ~~General Inspection Trust Fund to address water quality impacts~~
407 ~~associated with agricultural nonpoint sources, respectively.~~
408 ~~These funds shall be used for research, development,~~
409 ~~demonstration, and implementation of suitable best management~~
410 ~~practices or other measures used to achieve water quality~~
411 ~~standards in surface waters and water segments identified~~
412 ~~pursuant to ss. 303(d) of the Clean Water Act, Pub. L. No. 92-~~
413 ~~500, 33 U.S.C. ss. 1251 et seq. Implementation of best~~
414 ~~management practices and other measures may include cost-share~~
415 ~~grants, technical assistance, implementation tracking, and~~
416 ~~conservation leases or other agreements for water quality~~
417 ~~improvement. The Department of Environmental Protection and the~~
418 ~~Department of Agriculture and Consumer Services may adopt rules~~
419 ~~governing the distribution of funds for implementation of best~~
420 ~~management practices. The unobligated balance of funds received~~
421 ~~from the distribution of taxes collected under this chapter to~~
422 ~~address water quality impacts associated with nonagricultural~~
423 ~~nonpoint sources must be excluded when calculating the~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

424 ~~unobligated balance of the Water Quality Assurance Trust Fund as~~
425 ~~it relates to the determination of the applicable excise tax~~
426 ~~rate.~~

427 (d) ~~(9)~~ Seven and fifty-three hundredths percent of the
428 unadjusted remainder ~~remaining taxes~~ in each fiscal year shall
429 be paid into the State Treasury to the credit of the State
430 Housing Trust Fund. ~~Out~~ Of such funds, ~~beginning in the 2012-~~
431 ~~2013 fiscal year,~~ the first \$35 million shall be transferred
432 annually, subject to any distribution required under subsection
433 (6) ~~(15)~~, to the State Economic Enhancement and Development
434 Trust Fund within the Department of Economic Opportunity. The
435 remainder shall be used as follows:

436 1. ~~(a)~~ Half of that amount shall be used for the purposes
437 for which the State Housing Trust Fund was created and exists by
438 law.

439 2. ~~(b)~~ Half of that amount shall be paid into the State
440 Treasury to the credit of the Local Government Housing Trust
441 Fund and used for the purposes for which the Local Government
442 Housing Trust Fund was created and exists by law.

443 (e) ~~(10)~~ Eight and sixty-six hundredths percent of the
444 unadjusted remainder ~~remaining taxes~~ in each fiscal year shall
445 be paid into the State Treasury to the credit of the State
446 Housing Trust Fund. ~~Out~~ Of such funds, ~~beginning in the 2012-~~
447 ~~2013 fiscal year,~~ the first \$40 million shall be transferred
448 annually, subject to any distribution required under subsection
449 (6) ~~(15)~~, to the State Economic Enhancement and Development

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

450 Trust Fund within the Department of Economic Opportunity. The
451 remainder shall be used as follows:

452 1.(a) Twelve and one-half percent of that amount shall be
453 deposited into the State Housing Trust Fund and be expended by
454 the Department of Economic Opportunity and by the Florida
455 Housing Finance Corporation for the purposes for which the State
456 Housing Trust Fund was created and exists by law.

457 2.(b) Eighty-seven and one-half percent of that amount
458 shall be distributed to the Local Government Housing Trust Fund
459 and used for the purposes for which the Local Government Housing
460 Trust Fund was created and exists by law. Funds from this
461 category may also be used to provide for state and local
462 services to assist the homeless.

463
464 Moneys distributed pursuant to paragraphs (a), (b), and (c) may
465 not be pledged for debt service unless such pledge is approved
466 by voter referendum.

467 ~~(11) The distribution of proceeds deposited into the Water~~
468 ~~Management Lands Trust Fund and the Conservation and Recreation~~
469 ~~Lands Trust Fund, pursuant to subsections (4) and (5), may not~~
470 ~~be used for land acquisition but may be used for preacquisition~~
471 ~~costs associated with land purchases. The Legislature intends~~
472 ~~that the Florida Forever program supplant the acquisition~~
473 ~~programs formerly authorized under ss. 259.032 and 373.59.~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

474 ~~(12) Amounts distributed pursuant to subsections (5), (6),~~
475 ~~(7), and (8) are subject to the payment of debt service on~~
476 ~~outstanding Conservation and Recreation Lands revenue bonds.~~

477 ~~(13) In each fiscal year that the remaining taxes exceed~~
478 ~~collections in the prior fiscal year, the stated maximum dollar~~
479 ~~amounts provided in subsections (2), (4), (6), and (7) shall~~
480 ~~each be increased by an amount equal to 10 percent of the~~
481 ~~increase in the remaining taxes collected under this chapter~~
482 ~~multiplied by the applicable percentage provided in those~~
483 ~~subsections.~~

484 ~~(14) If the payment requirements in any year for bonds~~
485 ~~outstanding on July 1, 2007, or bonds issued to refund such~~
486 ~~bonds, exceed the limitations of this section, distributions to~~
487 ~~the trust fund from which the bond payments are made must be~~
488 ~~increased to the lesser of the amount needed to pay bond~~
489 ~~obligations or the limit of the applicable percentage~~
490 ~~distribution provided in subsections (1)–(10).~~

491 ~~(6)–(15)~~ Distributions to the State Housing Trust Fund
492 pursuant to paragraphs (5) (d) and (e) ~~subsections (9) and (10)~~
493 must be sufficient to cover amounts required to be transferred
494 to the Florida Affordable Housing Guarantee Program's annual
495 debt service reserve and guarantee fund pursuant to s.
496 420.5092(6) (a) and (b) up to the amount required to be
497 transferred to such reserve and fund based on the percentage
498 distribution of documentary stamp tax revenues to the State

272503

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Amendment No.

499 Housing Trust Fund which is in effect in the 2004-2005 fiscal
500 year.

501 ~~(16) If amounts necessary to pay debt service or any other~~
502 ~~amounts payable with respect to Preservation 2000 bonds, Florida~~
503 ~~Forever bonds, or Everglades Restoration bonds authorized before~~
504 ~~January 1, 2015, exceed the amounts distributable pursuant to~~
505 ~~subsection (1), all moneys distributable pursuant to this~~
506 ~~section are available for such obligations and transferred in~~
507 ~~the amounts necessary to pay such obligations when due. However,~~
508 ~~amounts distributable pursuant to subsection (2), subsection~~
509 ~~(3), subsection (4), subsection (5), paragraph (9) (a), or~~
510 ~~paragraph (10) (a) are not available to pay such obligations to~~
511 ~~the extent that such moneys are necessary to pay debt service on~~
512 ~~bonds secured by revenues pursuant to those provisions.~~

513 (7) ~~(17)~~ After the distributions provided in the preceding
514 subsections, any remaining taxes shall be paid into the State
515 Treasury to the credit of the General Revenue Fund.

516 Section 9. Subsection (6) of section 211.3103, Florida
517 Statutes, is amended to read:

518 211.3103 Levy of tax on severance of phosphate rock; rate,
519 basis, and distribution of tax.—

520 (6) (a) Beginning January 1, 2023 ~~July 1 of the 2011-2012~~
521 ~~fiscal year~~, the proceeds of all taxes, interest, and penalties
522 imposed under this section are exempt from the general revenue
523 service charge provided in s. 215.20, and such proceeds shall be
524 paid into the State Treasury as follows:

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

525 ~~1. To the credit of the Conservation and Recreation Lands~~
526 ~~Trust Fund, 25.5 percent.~~

527 ~~1.2.~~ To the credit of the General Revenue Fund of the
528 state, 47.9 ~~35.7~~ percent.

529 ~~2.3.~~ For payment to counties in proportion to the number
530 of tons of phosphate rock produced from a phosphate rock matrix
531 located within such political boundary, 17.2 ~~12.8~~ percent. The
532 department shall distribute this portion of the proceeds
533 annually based on production information reported by the
534 producers on the annual returns for the taxable year. Any such
535 proceeds received by a county shall be used only for phosphate-
536 related expenses.

537 ~~3.4.~~ For payment to counties that have been designated as
538 a rural area of opportunity pursuant to s. 288.0656 in
539 proportion to the number of tons of phosphate rock produced from
540 a phosphate rock matrix located within such political boundary,
541 13.4 ~~10.0~~ percent. The department shall distribute this portion
542 of the proceeds annually based on production information
543 reported by the producers on the annual returns for the taxable
544 year. Payments under this subparagraph shall be made to the
545 counties unless the Legislature by special act creates a local
546 authority to promote and direct the economic development of the
547 county. If such authority exists, payments shall be made to that
548 authority.

549 ~~4.5.~~ To the credit of the Nonmandatory Land Reclamation
550 Trust Fund, 8.3 ~~6.2~~ percent.

272503

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Amendment No.

551 ~~5.6.~~ To the credit of the Phosphate Research Trust Fund in
552 the Division of Universities of the Department of Education, 8.3
553 ~~6.2~~ percent.

554 ~~6.7.~~ To the credit of the Minerals Trust Fund, 4.9 ~~3.6~~
555 percent.

556 (b) Notwithstanding paragraph (a), from July 1, 2015,
557 through January 1, 2015, ~~until~~ December 31, 2022, the proceeds
558 of all taxes, interest, and penalties imposed under this section
559 are exempt from the general revenue service charge provided in
560 s. 215.20, and such proceeds shall be paid into ~~to~~ the State
561 Treasury as follows:

562 ~~1. To the credit of the Conservation and Recreation Lands~~
563 ~~Trust Fund, 22.8 percent.~~

564 ~~1.2.~~ To the credit of the General Revenue Fund of the
565 state, 41.3 ~~31.9~~ percent.

566 ~~2.3.~~ For payment to counties pursuant to subparagraph
567 (a)3., 14.9 ~~11.5~~ percent.

568 ~~3.4.~~ For payment to counties pursuant to subparagraph
569 (a)4., 11.5 ~~8.9~~ percent.

570 ~~4.5.~~ To the credit of the Nonmandatory Land Reclamation
571 Trust Fund, 20.9 ~~16.1~~ percent.

572 5.6. To the credit of the Phosphate Research Trust Fund in
573 the Division of Universities of the Department of Education, 7.3
574 ~~5.6~~ percent.

575 ~~6.7.~~ To the credit of the Minerals Trust Fund, 4.1 ~~3.2~~
576 percent.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

577 (c) For purposes of this section, "phosphate-related
578 expenses" means those expenses that provide for infrastructure
579 or services in support of the phosphate industry, including
580 environmental education, reclamation or restoration of phosphate
581 lands, maintenance and restoration of reclaimed lands and
582 county-owned environmental lands which were formerly phosphate
583 lands, community infrastructure on such reclaimed lands and
584 county-owned environmental lands which were formerly phosphate
585 lands, and similar expenses directly related to support of the
586 industry.

587 Section 10. Subsection (2) of section 215.20, Florida
588 Statutes, is amended to read:

589 215.20 Certain income and certain trust funds to
590 contribute to the General Revenue Fund.—

591 (2) Notwithstanding the provisions of subsection (1), the
592 trust funds of the Department of Citrus and the Department of
593 Agriculture and Consumer Services, including funds collected in
594 the General Inspection Trust Fund for marketing orders and in
595 the Florida Citrus Advertising Trust Fund, shall be subject to a
596 4 percent service charge, which is hereby appropriated to the
597 General Revenue Fund. This subsection ~~paragraph~~ does not apply
598 to ~~the Conservation and Recreation Lands Program Trust Fund,~~ the
599 Citrus Inspection Trust Fund, the Florida Forever Program Trust
600 Fund, the Market Improvements Working Capital Trust Fund, the
601 Pest Control Trust Fund, the Plant Industry Trust Fund, or other

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

602 funds collected in the General Inspection Trust Fund in the
603 Department of Agriculture and Consumer Services.

604 Section 11. Subsections (7) and (8) of section 215.618,
605 Florida Statutes, are renumbered as subsections (6) and (7),
606 respectively, and paragraph (a) of subsection (1) and
607 subsections (2), (3), and (6) of that section are amended, to
608 read:

609 215.618 Bonds for acquisition and improvement of land,
610 water areas, and related property interests and resources.—

611 (1) (a) The issuance of Florida Forever bonds, not to
612 exceed \$5.3 billion, to finance or refinance the cost of
613 acquisition and improvement of land, water areas, and related
614 property interests and resources, in urban and rural settings,
615 for the purposes of restoration, conservation, recreation, water
616 resource development, or historical preservation, and for
617 capital improvements to lands and water areas that accomplish
618 environmental restoration, enhance public access and
619 recreational enjoyment, promote long-term management goals, and
620 facilitate water resource development is hereby authorized,
621 subject to ~~the provisions of s. 259.105~~ and pursuant to s.
622 11(e), Art. VII of the State Constitution. ~~Florida Forever bonds~~
623 ~~may also be issued to refund Preservation 2000 bonds issued~~
624 ~~pursuant to s. 375.051.~~ The \$5.3 billion limitation on the
625 issuance of Florida Forever bonds does not apply to refunding
626 bonds. The duration of each series of Florida Forever bonds
627 issued may not exceed 20 annual maturities. In connection with

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

628 satisfying the additional bonds test set forth in the
629 authorizing resolution, not more than 58.25 percent of
630 documentary stamp taxes collected may be taken into account
631 ~~Preservation 2000 bonds and Florida Forever bonds shall be~~
632 ~~equally and ratably secured by moneys distributable to the Land~~
633 ~~Acquisition Trust Fund pursuant to s. 201.15(1)(a), except to~~
634 ~~the extent specifically provided otherwise by the documents~~
635 ~~authorizing the issuance of the bonds.~~

636 (2) The state covenants ~~does hereby covenant~~ with the
637 holders of Florida Forever bonds ~~and Preservation 2000 bonds~~
638 that it will not take any action that ~~which~~ will materially and
639 adversely affect the rights of such holders so long as such
640 bonds are outstanding, including, but not limited to, a
641 reduction in the portion of documentary stamp taxes
642 distributable to the Land Acquisition Trust Fund for payment of
643 debt service on ~~Preservation 2000 bonds or Florida Forever~~
644 ~~bonds.~~

645 (3) Bonds issued pursuant to this section shall be payable
646 from taxes distributable to the Land Acquisition Trust Fund
647 pursuant to s. 201.15(1) ~~201.15(1)(a)~~. Bonds issued pursuant to
648 this section shall not constitute a general obligation of, or a
649 pledge of the full faith and credit of, the state. Florida
650 Forever bonds shall be secured on a parity basis with bonds
651 issued pursuant to s. 215.619.

652 ~~(6) Pursuant to authority granted by s. 11(e), Art. VII of~~
653 ~~the State Constitution, there is hereby continued and re-created~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

654 ~~the Land Acquisition Trust Fund which shall be a continuation~~
655 ~~of the Land Acquisition Trust Fund which exists for purposes of~~
656 ~~s. 9(a)(1), Art. XII of the State Constitution. The Land~~
657 ~~Acquisition Trust Fund shall continue beyond the termination of~~
658 ~~bonding authority provided for in s. 9(a)(1), Art. XII of the~~
659 ~~State Constitution, pursuant to the authority provided by s.~~
660 ~~11(e), Art. VII of the State Constitution and shall continue for~~
661 ~~so long as Preservation 2000 bonds or Florida Forever bonds are~~
662 ~~outstanding and secured by taxes distributable thereto.~~

663 Section 12. Paragraph (b) of subsection (1) and
664 subsections (2) and (3) of section 215.619, Florida Statutes,
665 are amended to read:

666 215.619 Bonds for Everglades restoration.-

667 (1) The issuance of Everglades restoration bonds to
668 finance or refinance the cost of the acquisition and improvement
669 of land, water areas, and related property interests and
670 resources for the purpose of implementing the Comprehensive
671 Everglades Restoration Plan under s. 373.470, the Lake
672 Okeechobee Watershed Protection Plan under s. 373.4595, the
673 Caloosahatchee River Watershed Protection Plan under s.
674 373.4595, the St. Lucie River Watershed Protection Plan under s.
675 373.4595, and the Florida Keys Area of Critical State Concern
676 protection program under ss. 380.05 and 380.0552 in order to
677 restore and conserve natural systems through the implementation
678 of water management projects, including wastewater management
679 projects identified in the Keys Wastewater Plan, dated November

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

680 2007, and submitted to the Florida House of Representatives on
681 December 4, 2007, is authorized in accordance with s. 11(e),
682 Art. VII of the State Constitution.

683 (b) The duration of Everglades restoration bonds may not
684 exceed 20 annual maturities and must mature by December 31,
685 2040. Except for refunding bonds, a series of bonds may not be
686 issued unless an amount equal to the debt service coming due in
687 the year of issuance has been appropriated by the Legislature.
688 In connection with satisfying the additional bonds test set
689 forth in the authorizing resolution, not more than 58.25 percent
690 of documentary stamp taxes collected may be taken into account.
691 Beginning July 1, 2010, the Legislature shall analyze the ratio
692 of the state's debt to projected revenues before authorizing the
693 issuance of bonds under this section.

694 (2) The state covenants with the holders of Everglades
695 restoration bonds that it will not take any action that will
696 materially and adversely affect the rights of the holders as se
697 long as the bonds are outstanding, including, but not limited
698 to, a reduction in the portion of documentary stamp taxes
699 distributable under s. 201.15(1) for payment of debt service on
700 ~~Preservation 2000 bonds,~~ Florida Forever bonds, or Everglades
701 restoration bonds.

702 (3) Everglades restoration bonds are payable from, and
703 secured by a first lien on, taxes distributable under s.
704 201.15(1) ~~201.15(1)(b)~~ and do not constitute a general
705 obligation of, or a pledge of the full faith and credit of, the

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

706 state. Everglades restoration bonds shall be secured on a parity
707 basis with bonds issued pursuant to s. 215.618 ~~secured by moneys~~
708 ~~distributable under s. 201.15(1)(a).~~

709 Section 13. Subsection (5) of section 253.027, Florida
710 Statutes, is amended to read:

711 253.027 Emergency archaeological property acquisition.—

712 (5) ACCOUNT EXPENDITURES.—

713 (a) No moneys shall be spent for the acquisition of any
714 property, including title works, appraisal fees, and survey
715 costs, unless:

716 1. The property is an archaeological property of major
717 statewide significance.

718 2. The structures, artifacts, or relics, or their historic
719 significance, will be irretrievably lost if the state cannot
720 acquire the property.

721 3. The site is presently on an acquisition list ~~for~~
722 ~~Conservation and Recreation Lands~~ ~~or~~ for Florida Forever lands,
723 or complies with the criteria for inclusion on any such list,
724 but has yet to be included on the list.

725 4. No other source of immediate funding is available to
726 purchase or otherwise protect the property.

727 5. The site is not otherwise protected by local, state, or
728 federal laws.

729 6. The acquisition is not inconsistent with the state
730 comprehensive plan and the state land acquisition program.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

731 (b) No moneys shall be spent from the account for
732 excavation or restoration of the properties acquired. Funds may
733 be spent for preliminary surveys to determine if the sites meet
734 the criteria of this section. An amount not to exceed \$100,000
735 may also be spent from the account to inventory and evaluate
736 archaeological and historic resources on properties purchased,
737 or proposed for purchase, pursuant to s. 259.105(3)(b) ~~s.~~
738 ~~259.032~~.

739 Section 14. Paragraph (a) of subsection (12) of section
740 253.03, Florida Statutes, is amended to read:

741 253.03 Board of trustees to administer state lands; lands
742 enumerated.—

743 (12) The Board of Trustees of the Internal Improvement
744 Trust Fund is hereby authorized to administer, manage, control,
745 conserve, protect, and sell all real property forfeited to the
746 state pursuant to ss. 895.01-895.09 or acquired by the state
747 pursuant to s. 607.0505 or former s. 620.192. The board is
748 directed to immediately determine the value of all such property
749 and shall ascertain whether the property is in any way
750 encumbered. If the board determines that it is in the best
751 interest of the state to do so, funds from the Internal
752 Improvement Trust Fund may be used to satisfy any such
753 encumbrances. If forfeited property receipts are not sufficient
754 to satisfy encumbrances on the property and expenses permitted
755 under this section, funds from another appropriate trust fund
756 ~~the Land Acquisition Trust Fund~~ may be used to satisfy any such

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

757 encumbrances and expenses. All property acquired by the board
758 pursuant to s. 607.0505, former s. 620.192, or ss. 895.01-895.09
759 shall be sold as soon as commercially feasible unless the
760 Attorney General recommends and the board determines that
761 retention of the property in public ownership would effectuate
762 one or more of the following policies of statewide significance:
763 protection or enhancement of floodplains, marshes, estuaries,
764 lakes, rivers, wilderness areas, wildlife areas, wildlife
765 habitat, or other environmentally sensitive natural areas or
766 ecosystems; or preservation of significant archaeological or
767 historical sites identified by the Secretary of State. In such
768 event the property shall remain in the ownership of the board,
769 to be controlled, managed, and disposed of in accordance with
770 this chapter, and the Internal Improvement Trust Fund shall be
771 reimbursed from the Land Acquisition Trust Fund within the
772 Department of Environmental Protection, or other appropriate
773 fund designated by the board, for any funds expended from the
774 Internal Improvement Trust Fund pursuant to this subsection in
775 regard to such property. Upon the recommendation of the Attorney
776 General, the board may reimburse the investigative agency for
777 its investigative expenses, costs, and attorneys' fees, and may
778 reimburse law enforcement agencies for actual expenses incurred
779 in conducting investigations leading to the forfeiture of such
780 property from funds deposited in the Internal Improvement Trust
781 Fund of the Department of Environmental Protection. The proceeds

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

782 of the sale of property acquired under s. 607.0505, former s.
783 620.192, or ss. 895.01-895.09 shall be distributed as follows:

784 (a) After satisfaction of any valid claims arising under
785 ~~the provisions of s. 895.09(1) (a) or (b), any moneys used to~~
786 satisfy encumbrances and expended as costs of administration,
787 appraisal, management, conservation, protection, sale, and real
788 estate sales services and any interest earnings lost to the
789 trust fund that was used ~~Land Acquisition Trust Fund~~ as of a
790 date certified by the Department of Environmental Protection
791 shall be replaced first in the trust fund that was used to
792 satisfy any such encumbrance or expense ~~the Land Acquisition~~
793 ~~Trust Fund~~, if those funds were used, and then in the Internal
794 Improvement Trust Fund; and

795 Section 15. Subsection (3), paragraphs (k) through (n) of
796 subsection (6), and subsections (10) and (11) of section
797 253.034, Florida Statutes, are amended to read:

798 253.034 State-owned lands; uses.—

799 (3) Recognizing ~~In recognition~~ that recreational trails
800 purchased with rails-to-trails funds pursuant to s.
801 259.101(3) (g), Florida Statutes 2014, or s. 259.105(3) (h) have
802 had historic transportation uses and that their linear character
803 may extend many miles, the Legislature intends that when the
804 necessity arises to serve public needs, after balancing the need
805 to protect trail users from collisions with automobiles and a
806 preference for the use of overpasses and underpasses to the
807 greatest extent feasible and practical, transportation uses

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

808 shall be allowed to cross recreational trails purchased pursuant
809 to s. 259.101(3)(g), Florida Statutes 2014, or s. 259.105(3)(h).
810 When these crossings are needed, the location and design should
811 consider and mitigate the impact on humans and environmental
812 resources, and the value of the land shall be paid based on fair
813 market value.

814 (6) The Board of Trustees of the Internal Improvement
815 Trust Fund shall determine which lands, the title to which is
816 vested in the board, may be surplus. For conservation lands,
817 the board shall determine whether the lands are no longer needed
818 for conservation purposes and may dispose of them by an
819 affirmative vote of at least three members. In the case of a
820 land exchange involving the disposition of conservation lands,
821 the board must determine by an affirmative vote of at least
822 three members that the exchange will result in a net positive
823 conservation benefit. For all other lands, the board shall
824 determine whether the lands are no longer needed and may dispose
825 of them by an affirmative vote of at least three members.

826 (k) Proceeds from any sale of surplus conservation lands
827 purchased before July 1, 2015, pursuant to this subsection shall
828 be deposited into the Florida Forever Trust Fund ~~from which such~~
829 ~~lands were acquired.~~

830 (l) Proceeds from the sale of surplus conservation lands
831 purchased on or after July 1, 2015, shall be deposited into the
832 Land Acquisition Trust Fund or, if required by bond covenants,
833 into the trust fund from which the lands were purchased ~~However,~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

834 ~~if the fund from which the lands were originally acquired no~~
835 ~~longer exists, such proceeds shall be deposited into an~~
836 ~~appropriate account to be used for land management by the lead~~
837 ~~managing agency assigned the lands before the lands were~~
838 ~~declared surplus.~~

839 (m) Funds received from the sale of surplus
840 nonconservation lands, or lands that were acquired by gift, by
841 donation, or for no consideration, shall be deposited into the
842 Internal Improvement Trust Fund.

843 (n)~~(l)~~ Notwithstanding this subsection, such disposition
844 of land may not be made if it would have the effect of causing
845 all or any portion of the interest on any revenue bonds issued
846 to lose the exclusion from gross income for federal income tax
847 purposes.

848 (o)~~(m)~~ The sale of filled, formerly submerged land that
849 does not exceed 5 acres in area is not subject to review by the
850 council or its successor.

851 (p)~~(n)~~ The board may adopt rules to administer this
852 section which may include procedures for administering surplus
853 land requests and criteria for when the division may approve
854 requests to surplus nonconservation lands on behalf of the
855 board.

856 (10) The following additional uses of conservation lands
857 acquired pursuant to the Florida Forever program and other
858 state-funded conservation land purchase programs shall be
859 authorized, upon a finding by the board of trustees, if they

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

860 meet the criteria specified in paragraphs (a)-(e): water
861 resource development projects, water supply development
862 projects, stormwater management projects, linear facilities, and
863 sustainable agriculture and forestry. Such additional uses are
864 authorized where:

865 (a) Not inconsistent with the management plan for such
866 lands.~~†~~

867 (b) Compatible with the natural ecosystem and resource
868 values of such lands.~~†~~

869 (c) The proposed use is appropriately located on such
870 lands and where due consideration is given to the use of other
871 available lands.~~†~~

872 (d) The using entity reasonably compensates the
873 titleholder for such use based upon an appropriate measure of
874 value.~~†~~ ~~and~~

875 (e) The use is consistent with the public interest.

876

877 A decision by the board of trustees pursuant to this section
878 shall be given a presumption of correctness. Moneys received
879 from the use of state lands pursuant to this section shall be
880 returned to the lead managing entity in accordance with the
881 provisions of s. 259.032(9)(c) ~~259.032(11)(e)~~.

882 (11) Lands listed as projects for acquisition may be
883 managed for conservation pursuant to s. 259.032, on an interim
884 basis by a private party in anticipation of a state purchase in
885 accordance with a contractual arrangement between the acquiring

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

886 agency and the private party that may include management service
887 contracts, leases, cost-share arrangements or resource
888 conservation agreements. Lands designated as eligible under this
889 subsection shall be managed to maintain or enhance the resources
890 the state is seeking to protect by acquiring the land. Funding
891 for these contractual arrangements may originate from the
892 documentary stamp tax revenue deposited into the Land
893 Acquisition Trust Fund ~~Conservation and Recreation Lands Trust~~
894 ~~Fund and Water Management Lands Trust Fund~~. No more than \$6.2
895 million of the Land Acquisition Trust Fund ~~5 percent of funds~~
896 ~~allocated under the trust funds~~ shall be expended for this
897 purpose.

898 Section 16. Section 253.7824, Florida Statutes, is amended
899 to read:

900 253.7824 Sale of products; proceeds.—The department may
901 authorize the removal and sale of products from the land where
902 environmentally appropriate, the proceeds from which shall be
903 deposited into the Internal Improvement Trust Fund ~~in the Land~~
904 ~~Acquisition Trust Fund~~.

905 Section 17. Subsection (1) of section 258.435, Florida
906 Statutes, is amended to read:

907 258.435 Use of aquatic preserves for the accommodation of
908 visitors.—

909 (1) The Department of Environmental Protection shall
910 promote the public use of aquatic preserves and their associated
911 uplands. The department may receive gifts and donations to carry

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

912 out the purpose of this part. Moneys received in trust by the
913 department by gift, devise, appropriation, or otherwise, subject
914 to the terms of such trust, shall be deposited into the Grants
915 and Donations Land Acquisition Trust Fund and appropriated to
916 the department for the administration, development, improvement,
917 promotion, and maintenance of aquatic preserves and their
918 associated uplands and for any future acquisition or development
919 of aquatic preserves and their associated uplands.

920 Section 18. Section 259.032, Florida Statutes, is amended
921 to read:

922 259.032 Conservation and recreation lands ~~Trust Fund,~~
923 ~~purpose.~~—

924 (1) It is the policy of the state that the citizens of
925 this state shall be assured public ownership of natural areas
926 for purposes of maintaining this state's unique natural
927 resources; protecting air, land, and water quality; promoting
928 water resource development to meet the needs of natural systems
929 and citizens of this state; promoting restoration activities on
930 public lands; and providing lands for natural resource based
931 recreation. In recognition of this policy, it is the intent of
932 the Legislature to provide such public lands for the people
933 residing in urban and metropolitan areas of the state, as well
934 as those residing in less populated, rural areas. It is the
935 further intent of the Legislature, with regard to the lands
936 described in paragraph (2) (c) ~~(3) (e)~~, that a high priority be
937 given to the acquisition, restoration, and management of such

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

938 lands in or near counties exhibiting the greatest concentration
939 of population and, with regard to the lands described in
940 subsection (2) ~~(3)~~, that a high priority be given to acquiring
941 lands or rights or interests in lands that advance the goals and
942 objectives of the Fish and Wildlife Conservation Commission's
943 approved species or habitat recovery plans, or lands within any
944 area designated as an area of critical state concern under s.
945 380.05 which, in the judgment of the advisory council
946 established pursuant to s. 259.035, or its successor, cannot be
947 adequately protected by application of land development
948 regulations adopted pursuant to s. 380.05. Finally, it is the
949 Legislature's intent that lands acquired for conservation or
950 recreation purposes ~~through this program~~ and any successor
951 programs be managed in such a way as to protect or restore their
952 natural resource values, and provide the greatest benefit,
953 including public access, to the citizens of this state.

954 ~~(2) (a) The Conservation and Recreation Lands Trust Fund is~~
955 ~~established within the Department of Environmental Protection.~~
956 ~~The fund shall be used as a nonlapsing, revolving fund~~
957 ~~exclusively for the purposes of this section. The fund shall be~~
958 ~~credited with proceeds from the following excise taxes:~~

959 ~~1. The excise taxes on documents as provided in s. 201.15;~~

960 and

961 ~~2. The excise tax on the severance of phosphate rock as~~
962 ~~provided in s. 211.3103.~~

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272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

964 ~~The Department of Revenue shall credit to the fund each month~~
965 ~~the proceeds from such taxes as provided in this paragraph.~~

966 ~~(b) There shall annually be transferred from the~~
967 ~~Conservation and Recreation Lands Trust Fund to the Land~~
968 ~~Acquisition Trust Fund that amount, not to exceed \$20 million~~
969 ~~annually, as shall be necessary to pay the debt service on, or~~
970 ~~fund debt service reserve funds, rebate obligations, or other~~
971 ~~amounts with respect to bonds issued pursuant to s. 375.051 to~~
972 ~~acquire lands on the established priority list developed~~
973 ~~pursuant to ss. 259.101(4) and 259.105; however, no moneys~~
974 ~~transferred to the Land Acquisition Trust Fund pursuant to this~~
975 ~~paragraph, or earnings thereon, shall be used or made available~~
976 ~~to pay debt service on the Save Our Coast revenue bonds. Amounts~~
977 ~~transferred annually from the Conservation and Recreation Lands~~
978 ~~Trust Fund to the Land Acquisition Trust Fund pursuant to this~~
979 ~~paragraph shall have the highest priority over other payments or~~
980 ~~transfers from the Conservation and Recreation Lands Trust Fund,~~
981 ~~and no other payments or transfers shall be made from the~~
982 ~~Conservation and Recreation Lands Trust Fund until such~~
983 ~~transfers to the Land Acquisition Trust Fund have been made.~~
984 ~~Moneys in the Conservation and Recreation Lands Trust Fund also~~
985 ~~shall be used to manage lands and to pay for related costs,~~
986 ~~activities, and functions pursuant to the provisions of this~~
987 ~~section.~~

988 ~~(2)~~⁽³⁾ The Governor and Cabinet, sitting as the Board of
989 Trustees of the Internal Improvement Trust Fund, may expend

272503

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Amendment No.

990 funds appropriated by the Legislature ~~allocate moneys from the~~
991 ~~fund in any one year~~ to acquire the fee or any lesser interest
992 in lands for the following public purposes:

993 (a) To conserve and protect environmentally unique and
994 irreplaceable lands that contain native, relatively unaltered
995 flora and fauna representing a natural area unique to, or scarce
996 within, a region of this state or a larger geographic area;

997 (b) To conserve and protect lands within designated areas
998 of critical state concern, if the proposed acquisition relates
999 to the natural resource protection purposes of the designation;

1000 (c) To conserve and protect native species habitat or
1001 endangered or threatened species, emphasizing long-term
1002 protection for endangered or threatened species designated G-1
1003 or G-2 by the Florida Natural Areas Inventory, and especially
1004 those areas that are special locations for breeding and
1005 reproduction;

1006 (d) To conserve, protect, manage, or restore important
1007 ecosystems, landscapes, and forests, if the protection and
1008 conservation of such lands is necessary to enhance or protect
1009 significant surface water, groundwater, coastal, recreational,
1010 timber, or fish or wildlife resources which cannot otherwise be
1011 accomplished through local and state regulatory programs;

1012 (e) To promote water resource development that benefits
1013 natural systems and citizens of the state;

1014 (f) To facilitate the restoration and subsequent health
1015 and vitality of the Florida Everglades;

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

1016 (g) To provide areas, including recreational trails, for
1017 natural resource based recreation and other outdoor recreation
1018 on any part of any site compatible with conservation purposes;

1019 (h) To preserve significant archaeological or historic
1020 sites;

1021 (i) To conserve urban open spaces suitable for greenways
1022 or outdoor recreation which are compatible with conservation
1023 purposes; or

1024 (j) To preserve agricultural lands under threat of
1025 conversion to development through less-than-fee acquisitions.

1026 ~~(3)-(4)~~ Lands acquired for conservation or recreation
1027 purposes under this section shall be for use as state-designated
1028 parks, recreation areas, preserves, reserves, historic or
1029 archaeological sites, geologic or botanical sites, recreational
1030 trails, forests, wilderness areas, wildlife management areas,
1031 urban open space, or other state-designated recreation or
1032 conservation lands; or they shall qualify for such state
1033 designation and use if they are to be managed by other
1034 governmental agencies or nonstate entities as provided for in
1035 this section.

1036 ~~(4)-(5)~~ The board of trustees may expend funds appropriated
1037 by the Legislature ~~allocate, in any year, an amount not to~~
1038 ~~exceed 5 percent of the money credited to the fund in that year,~~
1039 ~~such allocation to be used~~ for the initiation and maintenance of
1040 a natural areas inventory to aid in the identification of areas

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

1041 to be acquired for conservation or recreation purposes pursuant
1042 ~~to this section.~~

1043 ~~(6) Moneys in the fund not needed to meet obligations~~
1044 ~~incurred under this section shall be deposited with the Chief~~
1045 ~~Financial Officer to the credit of the fund and may be invested~~
1046 ~~in the manner provided by law. Interest received on such~~
1047 ~~investments shall be credited to the Conservation and Recreation~~
1048 ~~Lands Trust Fund.~~

1049 (5)~~(7)~~ The board of trustees may enter into any contract
1050 necessary to accomplish the purposes of this section. The lead
1051 land managing agencies designated by the board of trustees also
1052 are directed by the Legislature to enter into contracts or
1053 interagency agreements with other governmental entities,
1054 including local soil and water conservation districts, or
1055 private land managers who have the expertise to perform specific
1056 management activities which a lead agency lacks, or which would
1057 cost more to provide in-house. Such activities shall include,
1058 but not be limited to, controlled burning, road and ditch
1059 maintenance, mowing, and wildlife assessments.

1060 (6)~~(8)~~ Conservation or recreation lands ~~to be considered~~
1061 ~~for purchase under this section~~ are subject to the selection
1062 procedures of s. 259.035 and related rules and shall be acquired
1063 in accordance with acquisition procedures for state lands
1064 provided for in s. 259.041, except as otherwise provided by the
1065 Legislature. An inholding or an addition to conservation or
1066 recreation lands ~~a project selected for purchase pursuant to~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

1067 ~~this chapter~~ is not subject to the selection procedures of s.
1068 259.035 if the estimated value of such inholding or addition
1069 does not exceed \$500,000. When at least 90 percent of the
1070 acreage of a project has been purchased for conservation or
1071 recreation lands pursuant to this chapter, the project may be
1072 removed from the list and the remaining acreage may continue to
1073 be purchased. Funds appropriated to acquire conservation or
1074 recreation lands ~~Moneys from the fund~~ may be used for title
1075 work, appraisal fees, environmental audits, and survey costs
1076 related to acquisition expenses for lands to be acquired,
1077 donated, or exchanged which qualify under the categories of this
1078 section, at the discretion of the board. When the Legislature
1079 has authorized the department ~~of Environmental Protection~~ to
1080 condemn a specific parcel of land and such parcel has already
1081 been approved for acquisition under this section, the land may
1082 be acquired in accordance with the provisions of chapter 73 or
1083 chapter 74, and the funds appropriated to acquire conservation
1084 or recreation lands ~~fund~~ may be used to pay the condemnation
1085 award and all costs, including a reasonable attorney's fee,
1086 associated with condemnation.

1087 (7) ~~(9)~~ All lands managed under this chapter and s. 253.034
1088 shall be:

1089 (a) Managed in a manner that will provide the greatest
1090 combination of benefits to the public and to the resources.

1091 (b) Managed for public outdoor recreation which is
1092 compatible with the conservation and protection of public lands.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

1093 Such management may include, but not be limited to, the
1094 following public recreational uses: fishing, hunting, camping,
1095 bicycling, hiking, nature study, swimming, boating, canoeing,
1096 horseback riding, diving, model hobbyist activities, birding,
1097 sailing, jogging, and other related outdoor activities
1098 compatible with the purposes for which the lands were acquired.

1099 (c) Managed for the purposes for which the lands were
1100 acquired, consistent with paragraph (9) (a) ~~(11) (a)~~.

1101 (d) Concurrent with its adoption of the annual
1102 ~~Conservation and Recreation Lands~~ list of acquisition projects
1103 pursuant to s. 259.035, the board of trustees shall adopt a
1104 management prospectus for each project. The management
1105 prospectus shall delineate:

1106 1. The management goals for the property.†

1107 2. The conditions that will affect the intensity of
1108 management.†

1109 3. An estimate of the revenue-generating potential of the
1110 property, if appropriate.†

1111 4. A timetable for implementing the various stages of
1112 management and for providing access to the public, if
1113 applicable.†

1114 5. A description of potential multiple-use activities as
1115 described in this section and s. 253.034.†

1116 6. Provisions for protecting existing infrastructure and
1117 for ensuring the security of the project upon acquisition.†

272503

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Amendment No.

1118 7. The anticipated costs of management and projected
1119 sources of revenue, including legislative appropriations, to
1120 fund management needs. ~~and~~

1121 8. Recommendations as to how many employees will be needed
1122 to manage the property, and recommendations as to whether local
1123 governments, volunteer groups, the former landowner, or other
1124 interested parties can be involved in the management.

1125 (e) Concurrent with the approval of the acquisition
1126 contract pursuant to s. 259.041(3)(c) for any interest in lands
1127 except those lands being acquired under the provisions of s.
1128 259.1052, the board of trustees shall designate an agency or
1129 agencies to manage such lands. The board shall evaluate and
1130 amend, as appropriate, the management policy statement for the
1131 project as provided by s. 259.035, consistent with the purposes
1132 for which the lands are acquired. For any fee simple acquisition
1133 of a parcel which is or will be leased back for agricultural
1134 purposes, or any acquisition of a less-than-fee interest in land
1135 that is or will be used for agricultural purposes, the Board of
1136 Trustees of the Internal Improvement Trust Fund shall first
1137 consider having a soil and water conservation district, created
1138 pursuant to chapter 582, manage and monitor such interests.

1139 (f) State agencies designated to manage lands acquired
1140 under this chapter or with funds deposited into the Land
1141 Acquisition Trust Fund, except those lands acquired under s.
1142 259.1052 may contract with local governments and soil and water
1143 conservation districts to assist in management activities,

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

1144 including the responsibility of being the lead land manager.
1145 Such land management contracts may include a provision for the
1146 transfer of management funding to the local government or soil
1147 and water conservation district from the land acquisition trust
1148 fund of the lead land managing agency ~~Conservation and~~
1149 ~~Recreation Lands Trust Fund~~ in an amount adequate for the local
1150 government or soil and water conservation district to perform
1151 its contractual land management responsibilities and
1152 proportionate to its responsibilities, and which otherwise would
1153 have been expended by the state agency to manage the property.

1154 (g) Immediately after ~~following~~ the acquisition of any
1155 interest in conservation or recreation lands ~~under this chapter,~~
1156 the department ~~of Environmental Protection,~~ acting on behalf of
1157 the board of trustees, may issue to the lead managing entity an
1158 interim assignment letter to be effective until the execution of
1159 a formal lease.

1160 ~~(8)-(10)~~(a) State, regional, or local governmental agencies
1161 or private entities designated to manage lands under this
1162 section shall develop and adopt, with the approval of the board
1163 of trustees, an individual management plan for each project
1164 designed to conserve and protect such lands and their associated
1165 natural resources. Private sector involvement in management plan
1166 development may be used to expedite the planning process.

1167 (b) Individual management plans required by s. 253.034(5),
1168 for parcels over 160 acres, shall be developed with input from
1169 an advisory group. Members of this advisory group shall include,

272503

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Amendment No.

1170 at a minimum, representatives of the lead land managing agency,
1171 comanaging entities, local private property owners, the
1172 appropriate soil and water conservation district, a local
1173 conservation organization, and a local elected official. The
1174 advisory group shall conduct at least one public hearing within
1175 the county in which the parcel or project is located. For those
1176 parcels or projects that are within more than one county, at
1177 least one areawide public hearing shall be acceptable and the
1178 lead managing agency shall invite a local elected official from
1179 each county. The areawide public hearing shall be held in the
1180 county in which the core parcels are located. Notice of such
1181 public hearing shall be posted on the parcel or project
1182 designated for management, advertised in a paper of general
1183 circulation, and announced at a scheduled meeting of the local
1184 governing body before the actual public hearing. The management
1185 prospectus required pursuant to paragraph (7) (d) ~~(9) (d)~~ shall be
1186 available to the public for a period of 30 days prior to the
1187 public hearing.

1188 (c) Once a plan is adopted, the managing agency or entity
1189 shall update the plan at least every 10 years in a form and
1190 manner prescribed by rule of the board of trustees. Such
1191 updates, for parcels over 160 acres, shall be developed with
1192 input from an advisory group. Such plans may include transfers
1193 of leasehold interests to appropriate conservation organizations
1194 or governmental entities designated by the Land Acquisition and
1195 Management Advisory Council or its successor, for uses

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

1196 consistent with the purposes of the organizations and the
1197 protection, preservation, conservation, restoration, and proper
1198 management of the lands and their resources. Volunteer
1199 management assistance is encouraged, including, but not limited
1200 to, assistance by youths participating in programs sponsored by
1201 state or local agencies, by volunteers sponsored by
1202 environmental or civic organizations, and by individuals
1203 participating in programs for committed delinquents and adults.

1204 (d)1. For each project for which lands are acquired after
1205 July 1, 1995, an individual management plan shall be adopted and
1206 in place no later than 1 year after the essential parcel or
1207 parcels identified in the priority list developed pursuant to s.
1208 ~~ss. 259.101(4) and 259.105~~ have been acquired. The department of
1209 ~~Environmental Protection~~ shall distribute only 75 percent of the
1210 acquisition funds to which a budget entity or water management
1211 district would otherwise be entitled ~~from the Preservation 2000~~
1212 ~~Trust Fund~~ to any budget entity or any water management district
1213 that has more than one-third of its management plans overdue.

1214 2. The requirements of subparagraph 1. do not apply to the
1215 individual management plan for the Babcock Crescent B Ranch
1216 being acquired pursuant to s. 259.1052. The management plan for
1217 the ranch shall be adopted and in place within ~~no later than~~ 2
1218 years after ~~following~~ the date of acquisition by the state.

1219 (e) Individual management plans shall conform to the
1220 appropriate policies and guidelines of the state land management
1221 plan and shall include, but not be limited to:

272503

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Amendment No.

1222 1. A statement of the purpose for which the lands were
1223 acquired, the projected use or uses as defined in s. 253.034,
1224 and the statutory authority for such use or uses.

1225 2. Key management activities necessary to achieve the
1226 desired outcomes, including, but not limited to, providing
1227 public access, preserving and protecting natural resources,
1228 protecting cultural and historical resources, restoring habitat,
1229 protecting threatened and endangered species, controlling the
1230 spread of nonnative plants and animals, performing prescribed
1231 fire activities, and other appropriate resource management.

1232 3. A specific description of how the managing agency plans
1233 to identify, locate, protect, and preserve, or otherwise use
1234 fragile, nonrenewable natural and cultural resources.

1235 4. A priority schedule for conducting management
1236 activities, based on the purposes for which the lands were
1237 acquired.

1238 5. A cost estimate for conducting priority management
1239 activities, to include recommendations for cost-effective
1240 methods of accomplishing those activities.

1241 6. A cost estimate for conducting other management
1242 activities which would enhance the natural resource value or
1243 public recreation value for which the lands were acquired. The
1244 cost estimate shall include recommendations for cost-effective
1245 methods of accomplishing those activities.

272503

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Amendment No.

1246 7. A determination of the public uses and public access
1247 that would be consistent with the purposes for which the lands
1248 were acquired.

1249 (f) The Division of State Lands shall submit a copy of
1250 each individual management plan for parcels which exceed 160
1251 acres in size to each member of the Acquisition and Restoration
1252 Council, which shall:

1253 1. Within 60 days after receiving a plan from the
1254 division, review each plan for compliance with the requirements
1255 of this subsection and with the requirements of the rules
1256 established by the board pursuant to this subsection.

1257 2. Consider the propriety of the recommendations of the
1258 managing agency with regard to the future use or protection of
1259 the property.

1260 3. After its review, submit the plan, along with its
1261 recommendations and comments, to the board of trustees, with
1262 recommendations as to whether to approve the plan as submitted,
1263 approve the plan with modifications, or reject the plan.

1264 (g) The board of trustees shall consider the individual
1265 management plan submitted by each state agency and the
1266 recommendations of the Acquisition and Restoration Council and
1267 the Division of State Lands and shall approve the plan with or
1268 without modification or reject such plan. The use or possession
1269 of any lands owned by the board of trustees which is not in
1270 accordance with an approved individual management plan is
1271 subject to termination by the board of trustees.

272503

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Amendment No.

1272
1273 By July 1 of each year, each governmental agency and each
1274 private entity designated to manage lands shall report to the
1275 department ~~Secretary of Environmental Protection~~ on the progress
1276 of funding, staffing, and resource management of every project
1277 for which the agency or entity is responsible.

1278 (9) (a) ~~(11) (a)~~ The Legislature recognizes that acquiring
1279 lands pursuant to this chapter serves the public interest by
1280 protecting land, air, and water resources that ~~which~~ contribute
1281 to the public health and welfare, providing areas for natural
1282 resource based recreation, and ensuring the survival of unique
1283 and irreplaceable plant and animal species. The Legislature
1284 intends for these lands to be managed and maintained for the
1285 purposes for which they were acquired and for the public to have
1286 access to and use of these lands where it is consistent with
1287 acquisition purposes and would not harm the resources the state
1288 is seeking to protect on the public's behalf.

1289 (b) An amount of not less than 1.5 percent of the
1290 cumulative total of funds ever deposited into the Florida
1291 Preservation 2000 Trust Fund and the Florida Forever Trust Fund
1292 shall be made available for the purposes of management,
1293 maintenance, and capital improvements ~~not eligible for funding~~
1294 ~~pursuant to s. 11(c), Art. VII of the State Constitution,~~ and
1295 ~~for~~ associated contractual services, for conservation or
1296 recreation lands acquired with funds deposited into the Land
1297 Acquisition Trust Fund pursuant to s. 28(a), Art. X of the State

272503

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Amendment No.

1298 Constitution, s. 259.032(3), Florida Statutes 2014 ~~this section,~~
1299 s. 259.101, Florida Statutes 2014, s. 259.105, s. 259.1052, or
1300 previous programs for the acquisition of lands for conservation
1301 or and recreation, including state forests, to which title is
1302 vested in the board of trustees and other conservation or and
1303 recreation lands managed by a state agency. ~~Of this amount,~~
1304 ~~\$250,000 shall be transferred annually to the Plant Industry~~
1305 ~~Trust Fund within the Department of Agriculture and Consumer~~
1306 ~~Services for the purpose of implementing the Endangered or~~
1307 ~~Threatened Native Flora Conservation Grants Program pursuant to~~
1308 ~~s. 581.185(11).~~ Each agency with management responsibilities
1309 shall annually request from the Legislature funds sufficient to
1310 fulfill such responsibilities to implement individual management
1311 plans. For the purposes of this paragraph, capital improvements
1312 shall include, but need not be limited to, perimeter fencing,
1313 signs, firelanes, access roads and trails, and minimal public
1314 accommodations, such as primitive campsites, garbage
1315 receptacles, and toilets. Any equipment purchased with funds
1316 provided pursuant to this paragraph may be used for the purposes
1317 described in this paragraph on any conservation or and
1318 recreation lands managed by a state agency. The funding
1319 requirement created in this paragraph is subject to an annual
1320 evaluation by the Legislature ~~in order~~ to ensure that such
1321 requirement does not impact the respective trust fund in a
1322 manner that would prevent the trust fund from meeting other
1323 minimum requirements.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

1324 (c) All revenues generated through multiple-use management
1325 or compatible secondary-use management shall be returned to the
1326 lead agency responsible for such management and shall be used to
1327 pay for management activities on all conservation, preservation,
1328 and recreation lands under the agency's jurisdiction. In
1329 addition, such revenues shall be segregated in an agency trust
1330 fund used for land management activities, other than the Land
1331 Acquisition Trust Fund, and such revenues shall remain available
1332 to the agency in subsequent fiscal years to support land
1333 management appropriations. For the purposes of this paragraph,
1334 compatible secondary-use management shall be those activities
1335 described in subsection (7) ~~(9)~~ undertaken on parcels designated
1336 as single use pursuant to s. 253.034(2) (b).

1337 (d) Up to one-fifth of the funds appropriated for the
1338 purposes identified ~~provided for~~ in paragraph (b) shall be
1339 reserved by the board of trustees for interim management of
1340 acquisitions and for associated contractual services, to ensure
1341 the conservation and protection of natural resources on project
1342 sites and to allow limited public recreational use of lands.
1343 Interim management activities may include, but not be limited
1344 to, resource assessments, control of invasive, nonnative
1345 species, habitat restoration, fencing, law enforcement,
1346 controlled burning, and public access consistent with
1347 preliminary determinations made pursuant to paragraph (7) (g)
1348 ~~(9) (g)~~. The board of trustees shall make these interim funds
1349 available immediately upon purchase.

272503

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Amendment No.

1350 (e) The department shall set long-range and annual goals
1351 for the control and removal of nonnative, invasive plant species
1352 on public lands. Such goals shall differentiate between aquatic
1353 plant species and upland plant species. In setting such goals,
1354 the department may rank, in order of adverse impact, species
1355 that impede or destroy the functioning of natural systems.
1356 Notwithstanding paragraph (a), up to one-fourth of the funds
1357 provided for in paragraph (b) may be used by the agencies
1358 receiving those funds for control and removal of nonnative,
1359 invasive species on public lands.

1360 ~~(f) For the 2014-2015 fiscal year only, moneys in the~~
1361 ~~Conservation and Recreation Lands Trust Fund may be transferred~~
1362 ~~to the Florida Forever Trust Fund for the Florida Forever~~
1363 ~~program and to the Save Our Everglades Trust Fund to support~~
1364 ~~Everglades restoration projects included in the final report of~~
1365 ~~the Select Committee on Indian River Lagoon and Lake Okeechobee~~
1366 ~~Basin, dated November 8, 2013, pursuant to nonoperating budget~~
1367 ~~authority under s. 216.181(12). This subsection expires July 1,~~
1368 ~~2015.~~

1369 (10)~~(12)~~(a) Beginning July 1, 1999, the Legislature shall
1370 make available sufficient funds annually ~~from the Conservation~~
1371 ~~and Recreation Lands Trust Fund~~ to the department for payment in
1372 lieu of taxes to qualifying counties and local governments as
1373 defined in paragraph (b) for all actual tax losses incurred as a
1374 result of board of trustees acquisitions for state agencies
1375 under the Florida Forever program or the former Florida

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

1376 Preservation 2000 program during any year. ~~Reserved funds not~~
1377 ~~used for payments in lieu of taxes in any year shall revert to~~
1378 ~~the fund to be used for land management in accordance with the~~
1379 ~~provisions of this section.~~

1380 (b) Payment in lieu of taxes shall be available:

1381 1. To all counties that have a population of 150,000 or
1382 fewer. Population levels shall be determined pursuant to s.
1383 11.031.

1384 2. To all local governments located in eligible counties.

1385 ~~3. To Glades County, where a privately owned and operated~~
1386 ~~prison leased to the state has recently been opened and where~~
1387 ~~privately owned and operated juvenile justice facilities leased~~
1388 ~~to the state have recently been constructed and opened, a~~
1389 ~~payment in lieu of taxes, in an amount that offsets the loss of~~
1390 ~~property tax revenue, which funds have already been appropriated~~
1391 ~~and allocated from the Department of Correction's budget for the~~
1392 ~~purpose of reimbursing amounts equal to lost ad valorem taxes.~~

1393 (c) If insufficient funds are available in any year to
1394 make full payments to all qualifying counties and local
1395 governments, such counties and local governments shall receive a
1396 pro rata share of the moneys available.

1397 (d) The payment amount shall be based on the average
1398 amount of actual taxes paid on the property for the 3 years
1399 preceding acquisition. Applications for payment in lieu of taxes
1400 shall be made no later than January 31 of the year following
1401 acquisition. No payment in lieu of taxes shall be made for

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

1402 properties which were exempt from ad valorem taxation for the
1403 year immediately preceding acquisition.

1404 (e) If property which was subject to ad valorem taxation
1405 was acquired by a tax-exempt entity for ultimate conveyance to
1406 the state under this chapter, payment in lieu of taxes shall be
1407 made for such property based upon the average amount of taxes
1408 paid on the property for the 3 years prior to its being removed
1409 from the tax rolls. The department shall certify to the
1410 Department of Revenue those properties that may be eligible
1411 under this provision. Once eligibility has been established,
1412 that county or local government shall receive annual payments
1413 for each tax loss until the qualifying county or local
1414 government exceeds the population threshold pursuant to this
1415 section.

1416 (f) Payment in lieu of taxes pursuant to this subsection
1417 shall be made annually to qualifying counties and local
1418 governments after certification by the Department of Revenue
1419 that the amounts applied for are reasonably appropriate, based
1420 on the amount of actual taxes paid on the eligible property.
1421 With the assistance of the local government requesting payment
1422 in lieu of taxes, the state agency that acquired the land is
1423 responsible for preparing and submitting application requests
1424 for payment to the Department of Revenue for certification.

1425 (g) If the board of trustees conveys to a local government
1426 title to any land owned by the board, any payments in lieu of

272503

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Amendment No.

1427 taxes on the land made to the local government shall be
1428 discontinued as of the date of the conveyance.

1429

1430 For the purposes of this subsection, "local government" includes
1431 municipalities, the county school board, mosquito control
1432 districts, and any other local government entity which levies ad
1433 valorem taxes, with the exception of a water management
1434 district.

1435 ~~(13) Moneys credited to the fund each year which are not~~
1436 ~~used for management, maintenance, or capital improvements~~
1437 ~~pursuant to subsection (11); for payment in lieu of taxes~~
1438 ~~pursuant to subsection (12); or for the purposes of subsection~~
1439 ~~(5), shall be available for the acquisition of land pursuant to~~
1440 ~~this section.~~

1441 ~~(14) The board of trustees may adopt rules to further~~
1442 ~~define the categories of land for acquisition under this~~
1443 ~~chapter.~~

1444 ~~(11)(15)~~ Within 90 days after receiving a certified letter
1445 from the owner of a property on the ~~Conservation and Recreation~~
1446 ~~Lands list~~ or the priority list established pursuant to s.
1447 259.105 objecting to the property being included in an
1448 acquisition project, where such property is a project or part of
1449 a project which has not been listed for purchase in the current
1450 year's land acquisition work plan, the board of trustees shall
1451 delete the property from the list or from the boundary of an
1452 acquisition project on the list.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

1453 Section 19. Subsections (3), (4), and (6), of section
1454 259.035, Florida Statutes, are amended to read:

1455 259.035 Acquisition and Restoration Council.—

1456 (3) The council shall provide assistance to the board of
1457 trustees in reviewing the recommendations and plans for state-
1458 owned lands required under s. ss. 253.034 and chapter 259
1459 ~~259.032~~. The council shall, in reviewing such recommendations
1460 and plans, consider the optimization of multiple-use and
1461 conservation strategies to accomplish the provisions funded
1462 pursuant to s. ss. 259.101(3) (a), Florida Statutes 2014, and s.
1463 259.105(3) (b).

1464 (4) (a) ~~The council may use existing rules adopted by the~~
1465 ~~board of trustees, until it develops and recommends amendments~~
1466 ~~to those rules, to competitively evaluate, select, and rank~~
1467 ~~projects eligible for the Conservation and Recreation Lands list~~
1468 ~~pursuant to ss. 259.032(3) and 259.101(4).~~

1469 ~~(b)~~ By December 1, 2016 ~~2009~~, the Acquisition and
1470 Restoration Council shall develop rules defining specific
1471 criteria and numeric performance measures needed for lands that
1472 are to be acquired for public purpose under the Florida Forever
1473 program pursuant to s. 259.105 or with funds deposited into the
1474 Land Acquisition Trust Fund pursuant to s. 28, Art. X of the
1475 State Constitution. ~~Each recipient of Florida Forever funds~~
1476 ~~shall assist the council in the development of such rules.~~ These
1477 rules shall be reviewed and adopted by the board, then submitted
1478 to the Legislature for consideration by February 1, 2017 ~~2010~~.

272503

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Amendment No.

1479 The Legislature may reject, modify, or take no action relative
1480 to the proposed rules. If no action is taken, the rules shall be
1481 implemented. Subsequent to their approval, each recipient of
1482 Florida Forever funds or funds from the Land Acquisition Trust
1483 Fund shall annually report to the Division of State Lands on
1484 each of the numeric performance measures accomplished during the
1485 previous fiscal year.

1486 (b)~~(e)~~ In developing or amending rules, the council shall
1487 give weight to the criteria included in s. 259.105(9) ~~259.105~~
1488 ~~(10)~~. The board of trustees shall review the recommendations and
1489 shall adopt rules necessary to administer this section.

1490 (6) The proposal for a project pursuant to this section or
1491 s. 259.105(3)(b) may be implemented only if adopted by the
1492 council and approved by the board of trustees. The council shall
1493 consider and evaluate in writing the merits and demerits of each
1494 project that is proposed for acquisition using funds available
1495 pursuant to s. 28, Art. X of the State Constitution ~~Conservation~~
1496 ~~and Recreation Lands, Florida Preservation 2000,~~ or Florida
1497 Forever funding and shall ensure that each proposed project will
1498 meet a stated public purpose for the restoration, conservation,
1499 or preservation of environmentally sensitive lands and water
1500 areas or for providing outdoor recreational opportunities. The
1501 council also shall determine whether the project conforms, where
1502 applicable, with the comprehensive plan developed pursuant to s.
1503 259.04(1)(a), the comprehensive multipurpose outdoor recreation
1504 plan developed pursuant to s. 375.021, the state lands

272503

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Amendment No.

1505 management plan adopted pursuant to s. 253.03(7), the water
1506 resources work plans developed pursuant to s. 373.199, and the
1507 provisions of s. 259.032, s. 259.101, or s. 259.105, whichever
1508 is applicable.

1509 Section 20. Subsection (4) of section 259.036, Florida
1510 Statutes, is amended to read:

1511 259.036 Management review teams.—

1512 (4) In the event a land management plan has not been
1513 adopted within the timeframes specified in s. 259.032(8)
1514 ~~259.032(10)~~, the department may direct a management review of
1515 the property, to be conducted by the land management review
1516 team. The review shall consider the extent to which the land is
1517 being managed for the purposes for which it was acquired and the
1518 degree to which actual management practices are in compliance
1519 with the management policy statement and management prospectus
1520 for that property.

1521 Section 21. Paragraph (b) of subsection (3) of section
1522 259.037, Florida Statutes, is amended to read:

1523 259.037 Land Management Uniform Accounting Council.—

1524 (3)

1525 (b) Each reporting agency shall also:

1526 1. Include a report of the available public use
1527 opportunities for each management unit of state land, the total
1528 management cost for public access and public use, and the cost
1529 associated with each use option.

272503

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Amendment No.

1530 2. List the acres of land requiring minimal management
1531 effort, moderate management effort, and significant management
1532 effort pursuant to s. 259.032(9)(c) ~~former s. 259.032(11)(c)~~.
1533 For each category created in paragraph (a), the reporting agency
1534 shall include the amount of funds requested, the amount of funds
1535 received, and the amount of funds expended for land management.

1536 3. List acres managed and cost of management for each
1537 park, preserve, forest, reserve, or management area.

1538 4. List acres managed, cost of management, and lead
1539 manager for each state lands management unit for which secondary
1540 management activities were provided.

1541 5. Include a report of the estimated calculable financial
1542 benefits to the public for the ecosystem services provided by
1543 conservation lands, based on the best readily available
1544 information or science that provides a standard measurement
1545 methodology to be consistently applied by the land managing
1546 agencies. Such information may include, but need not be limited
1547 to, the value of natural lands for protecting the quality and
1548 quantity of drinking water through natural water filtration and
1549 recharge, contributions to protecting and improving air quality,
1550 benefits to agriculture through increased soil productivity and
1551 preservation of biodiversity, and savings to property and lives
1552 through flood control.

1553 Section 22. Subsection (1) of section 259.04, Florida
1554 Statutes, is amended to read:

1555 259.04 Board; powers and duties.—

272503

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Amendment No.

1556 (1) For projects and acquisitions selected for purchase
1557 pursuant to ss. 259.035, ~~259.101~~, and 259.105:

1558 (a) The board is given the responsibility, authority, and
1559 power to develop and execute a comprehensive, statewide 5-year
1560 plan to conserve, restore, and protect environmentally
1561 endangered lands, ecosystems, lands necessary for outdoor
1562 recreational needs, and other lands as identified in ss.
1563 259.032, ~~259.101~~, and 259.105. This plan shall be kept current
1564 through continual reevaluation and revision. The advisory
1565 council or its successor shall assist the board in the
1566 development, reevaluation, and revision of the plan.

1567 (b) The board may enter into contracts with the government
1568 of the United States or any agency or instrumentality thereof;
1569 the state or any county, municipality, district authority, or
1570 political subdivision; or any private corporation, partnership,
1571 association, or person providing for or relating to the
1572 conservation or protection of certain lands in accomplishing the
1573 purposes of this chapter.

1574 (c) Within 45 days after the advisory council or its
1575 successor submits the lists of projects to the board, the board
1576 shall approve, in whole or in part, the lists of projects in the
1577 order of priority in which such projects are presented. To the
1578 greatest extent practicable, projects on the lists shall be
1579 acquired in their approved order of priority.

1580 (d) The board is authorized to acquire, by purchase, gift,
1581 or devise or otherwise, the fee title or any lesser interest of

272503

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Amendment No.

1582 lands, water areas, and related resources for environmentally
1583 endangered lands.

1584 Section 23. Paragraphs (a) and (b) of subsection (11) and
1585 subsection (15) of section 259.041, Florida Statutes, are
1586 amended to read:

1587 259.041 Acquisition of state-owned lands for preservation,
1588 conservation, and recreation purposes.—

1589 (11) (a) The Legislature finds that, with the increasing
1590 pressures on the natural areas of this state and on open space
1591 suitable for recreational use, the state must develop creative
1592 techniques to maximize the use of acquisition and management
1593 funds. The Legislature also finds that the state's conservation
1594 and recreational land acquisition agencies should be encouraged
1595 to augment their traditional, fee simple acquisition programs
1596 with the use of alternatives to fee simple acquisition
1597 techniques. Additionally, the Legislature finds that generations
1598 of private landowners have been good stewards of their land,
1599 protecting or restoring native habitats and ecosystems to the
1600 benefit of the natural resources of this state, its heritage,
1601 and its citizens. The Legislature also finds that using
1602 alternatives to fee simple acquisition by public land
1603 acquisition agencies will achieve the following public policy
1604 goals:

1605 1. Allow more lands to be brought under public protection
1606 for preservation, conservation, and recreational purposes with
1607 less expenditure of public funds.

272503

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Amendment No.

1608 2. Retain, on local government tax rolls, some portion of
1609 or interest in lands which are under public protection.

1610 3. Reduce long-term management costs by allowing private
1611 property owners to continue acting as stewards of their land,
1612 where appropriate.

1613
1614 Therefore, it is the intent of the Legislature that public land
1615 acquisition agencies develop programs to pursue alternatives to
1616 fee simple acquisition and to educate private landowners about
1617 such alternatives and the benefits of such alternatives. It is
1618 also the intent of the Legislature that a portion of the shares
1619 of ~~Preservation 2000~~ and Florida Forever bond proceeds be used
1620 to purchase eligible properties using alternatives to fee simple
1621 acquisition.

1622 (b) All project applications shall identify, within their
1623 acquisition plans, projects that require a full fee simple
1624 interest to achieve the public policy goals, together with the
1625 reasons full title is determined to be necessary. The state
1626 agencies and the water management districts may use alternatives
1627 to fee simple acquisition to bring the remaining projects in
1628 their acquisition plans under public protection. For the
1629 purposes of this subsection, the term "alternatives to fee
1630 simple acquisition" includes, but is not limited to: purchase of
1631 development rights; obtaining conservation easements; obtaining
1632 flowage easements; purchase of timber rights, mineral rights, or
1633 hunting rights; purchase of agricultural interests or

272503

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Amendment No.

1634 silvicultural interests; ~~entering into land protection~~
1635 ~~agreements as defined in s. 380.0677(3)~~; fee simple acquisitions
1636 with reservations; creating life estates; or any other
1637 acquisition technique that achieves the public policy goals
1638 listed in paragraph (a). It is presumed that a private landowner
1639 retains the full range of uses for all the rights or interests
1640 in the landowner's land which are not specifically acquired by
1641 the public agency. The lands upon which hunting rights are
1642 specifically acquired pursuant to this paragraph shall be
1643 available for hunting in accordance with the management plan or
1644 hunting regulations adopted by the Florida Fish and Wildlife
1645 Conservation Commission, unless the hunting rights are purchased
1646 specifically to protect activities on adjacent lands.

1647 (15) The board of trustees, by an affirmative vote of at
1648 least three of its members, may direct the department to
1649 purchase lands on an immediate basis using up to 15 percent of
1650 the funds allocated to the department pursuant to s. ss.
1651 ~~259.101(3)(a)~~ and 259.105 for the acquisition of lands that:

1652 (a) Are listed or placed at auction by the Federal
1653 Government as part of the Resolution Trust Corporation sale of
1654 lands from failed savings and loan associations;

1655 (b) Are listed or placed at auction by the Federal
1656 Government as part of the Federal Deposit Insurance Corporation
1657 sale of lands from failed banks; or

1658 (c) Will be developed or otherwise lost to potential
1659 public ownership, or for which federal matching funds will be

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

1660 lost, by the time the land can be purchased under the program
1661 within which the land is listed for acquisition.

1662
1663 For such acquisitions, the board of trustees may waive or modify
1664 all procedures required for land acquisition pursuant to this
1665 chapter and all competitive bid procedures required pursuant to
1666 chapters 255 and 287. Lands acquired pursuant to this subsection
1667 must, at the time of purchase, be on one of the acquisition
1668 lists established pursuant to this chapter, or be essential for
1669 water resource development, protection, or restoration, or a
1670 significant portion of the lands must contain natural
1671 communities or plant or animal species that ~~which~~ are listed by
1672 the Florida Natural Areas Inventory as critically imperiled,
1673 imperiled, or rare, or as excellent quality occurrences of
1674 natural communities.

1675 Section 24. Section 259.101, Florida Statutes, is amended
1676 to read:

1677 259.101 Florida Preservation 2000 Act.—

1678 (1) SHORT TITLE.—This section may be cited as the "Florida
1679 Preservation 2000 Act."

1680 (2) LEGISLATIVE FINDINGS.—The Legislature finds and
1681 declares that:

1682 (a) The alteration and development of Florida's natural
1683 areas to accommodate its rapidly growing population have
1684 contributed to the degradation of water resources, the

272503

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Amendment No.

1685 fragmentation and destruction of wildlife habitats, the loss of
1686 recreation space, and the diminishment of wetlands and forests.

1687 (b) Imminent development of Florida's remaining natural
1688 areas and continuing increases in land values necessitate an
1689 aggressive program of public land acquisition during the next
1690 decade to preserve the quality of life that attracts so many
1691 people to Florida.

1692 (c) Acquisition of public lands, in fee simple or in any
1693 lesser interest, should be based on a comprehensive assessment
1694 of Florida's natural resources and planned so as to protect the
1695 integrity of ecological systems and to provide multiple
1696 benefits, including preservation of fish and wildlife habitat,
1697 recreation space, and water recharge areas. Governmental
1698 agencies responsible for public land acquisition should work
1699 together to purchase lands jointly and to coordinate individual
1700 purchases within ecological systems.

1701 (d) One of the purposes of the Florida Communities Trust
1702 program is to acquire, protect, and preserve open space and
1703 recreation properties within urban areas where pristine animal
1704 and plant communities no longer exist. These areas are often
1705 overlooked in other programs because of their smaller size and
1706 proximity to developed property. These smaller parcels are,
1707 however, critically important to the quality of life in these
1708 urban areas for the residents who live there as well as to the
1709 many visitors to the state. The trust shall consider projects
1710 submitted by local governments which further the goals,

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

1711 objectives, and policies of the conservation, recreation and
1712 open space, or coastal elements of their local comprehensive
1713 plans or which serve to conserve natural resources or resolve
1714 land use conflicts.

1715 (e) South Florida's water supply and unique natural
1716 environment depend on the protection of lands buffering the East
1717 Everglades and the Everglades water conservation areas.

1718
1719 In addition, the Legislature recognizes the conflicting desires
1720 of the citizens of this state to prosper through economic
1721 development and to preserve the natural areas of Florida that
1722 development threatens to claim. The Legislature further
1723 recognizes the urgency of acquiring natural areas in the state
1724 for preservation, yet acknowledges the difficulty of ensuring
1725 adequate funding for accelerated acquisition in light of other
1726 equally critical financial needs of the state. ~~It is the~~
1727 ~~Legislature's desire and intent to fund the implementation of~~
1728 ~~the Florida Preservation 2000 Act for each of the 10 years of~~
1729 ~~the program's duration and to do so in a fiscally responsible~~
1730 ~~manner.~~

1731 (3) TITLE TO CERTAIN PROPERTY ACQUIRED WITH PRESERVATION
1732 2000 BONDS LAND ACQUISITION PROGRAMS SUPPLEMENTED. ~~Less the~~
1733 ~~costs of issuance, the costs of funding reserve accounts, and~~
1734 ~~other costs with respect to the bonds, the proceeds of bonds~~
1735 ~~issued pursuant to this act shall be deposited into the Florida~~
1736 ~~Preservation 2000 Trust Fund created by s. 375.045. In fiscal~~

272503

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Amendment No.

1737 ~~year 2000-2001, for each Florida Preservation 2000 program~~
1738 ~~described in paragraphs (a)-(g), that portion of each program's~~
1739 ~~total remaining cash balance which, as of June 30, 2000, is in~~
1740 ~~excess of that program's total remaining appropriation balances~~
1741 ~~shall be redistributed by the department and deposited into the~~
1742 ~~Save Our Everglades Trust Fund for land acquisition. For~~
1743 ~~purposes of calculating the total remaining cash balances for~~
1744 ~~this redistribution, the Florida Preservation 2000 Series 2000~~
1745 ~~bond proceeds, including interest thereon, and the fiscal year~~
1746 ~~1999-2000 General Appropriations Act amounts shall be deducted~~
1747 ~~from the remaining cash and appropriation balances,~~
1748 ~~respectively. The remaining proceeds shall be distributed by the~~
1749 ~~Department of Environmental Protection in the following manner:~~
1750 ~~(a) Fifty percent to the Department of Environmental~~
1751 ~~Protection for the purchase of public lands as described in s.~~
1752 ~~259.032. Of this 50 percent, at least one-fifth shall be used~~
1753 ~~for the acquisition of coastal lands.~~
1754 ~~(b) Thirty percent to the Department of Environmental~~
1755 ~~Protection for the purchase of water management lands pursuant~~
1756 ~~to s. 373.59, to be distributed among the water management~~
1757 ~~districts as provided in that section. Funds received by each~~
1758 ~~district may also be used for acquisition of lands necessary to~~
1759 ~~implement surface water improvement and management plans or for~~
1760 ~~acquisition of lands necessary to implement the Everglades~~
1761 ~~Construction Project authorized by s. 373.4592.~~

272503

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Amendment No.

1762 ~~(c) Ten percent to the Department of Environmental~~
1763 ~~Protection to provide land acquisition grants and loans to local~~
1764 ~~governments through the Florida Communities Trust pursuant to~~
1765 ~~part III of chapter 380. From funds allocated to the trust, \$3~~
1766 ~~million annually shall be used by the Division of State Lands~~
1767 ~~within the Department of Environmental Protection to implement~~
1768 ~~the Green Swamp Land Protection Initiative specifically for the~~
1769 ~~purchase of conservation easements, as defined in s.~~
1770 ~~380.0677(3), of lands, or severable interests or rights in~~
1771 ~~lands, in the Green Swamp Area of Critical State Concern. From~~
1772 ~~funds allocated to the trust, \$3 million annually shall be used~~
1773 ~~by the Monroe County Comprehensive Plan Land Authority~~
1774 ~~specifically for the purchase of a real property interest in~~
1775 ~~those lands subject to the Rate of Growth Ordinances adopted by~~
1776 ~~local governments in Monroe County or those lands within the~~
1777 ~~boundary of an approved Conservation and Recreation Lands~~
1778 ~~project located within the Florida Keys or Key West Areas of~~
1779 ~~Critical State Concern; however, title to lands acquired within~~
1780 ~~the boundary of an approved Conservation and Recreation Lands~~
1781 ~~project may, in accordance with an approved joint acquisition~~
1782 ~~agreement, vest in the Board of Trustees of the Internal~~
1783 ~~Improvement Trust Fund. Of the remaining funds, one half shall~~
1784 ~~be matched by local governments on a dollar-for-dollar basis. To~~
1785 ~~the extent allowed by federal requirements for the use of bond~~
1786 ~~proceeds, the trust shall expend Preservation 2000 funds to~~
1787 ~~carry out the purposes of part III of chapter 380.~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

1788 ~~(d) Two and nine-tenths percent to the Department of~~
1789 ~~Environmental Protection for the purchase of inholdings and~~
1790 ~~additions to state parks. For the purposes of this paragraph,~~
1791 ~~"state park" means all real property in the state under the~~
1792 ~~jurisdiction of the Division of Recreation and Parks of the~~
1793 ~~department, or which may come under its jurisdiction.~~

1794 ~~(e) Two and nine-tenths percent to the Florida Forest~~
1795 ~~Service of the Department of Agriculture and Consumer Services~~
1796 ~~to fund the acquisition of state forest inholdings and additions~~
1797 ~~pursuant to s. 589.07.~~

1798 ~~(f) Two and nine-tenths percent to the Fish and Wildlife~~
1799 ~~Conservation Commission to fund the acquisition of inholdings~~
1800 ~~and additions to lands managed by the commission which are~~
1801 ~~important to the conservation of fish and wildlife.~~

1802 ~~(g) One and three-tenths percent to the Department of~~
1803 ~~Environmental Protection for the Florida Greenways and Trails~~
1804 ~~Program, to acquire greenways and trails or greenways and trails~~
1805 ~~systems pursuant to chapter 260, including, but not limited to,~~
1806 ~~abandoned railroad rights-of-way and the Florida National Scenic~~
1807 ~~Trail.~~

1808 ~~Local governments may use federal grants or loans, private~~
1809 ~~donations, or environmental mitigation funds, including~~
1810 ~~environmental mitigation funds required pursuant to s. 338.250,~~
1811 ~~for any part or all of any local match required for the purposes~~
1812 ~~described in this subsection. Bond proceeds allocated pursuant~~
1813 ~~to paragraph (c) may be used to purchase lands on the priority~~

272503

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Amendment No.

1814 ~~lists developed pursuant to s. 259.035.~~ Title to lands purchased
1815 pursuant to s. 259.101(3)(a), (d), (e), (f), or (g), Florida
1816 Statutes 2014, paragraphs (a), (d), (e), (f), and (g) shall be
1817 vested in the Board of Trustees of the Internal Improvement
1818 Trust Fund. Title to lands purchased pursuant to s.
1819 259.101(3)(c), Florida Statutes 2014, paragraph (c) may be
1820 vested in the Board of Trustees of the Internal Improvement
1821 Trust Fund. The board of trustees shall hold title to land
1822 protection agreements and conservation easements that were ~~or~~
1823 ~~will be~~ acquired pursuant to s. 380.0677, Florida Statutes 2014,
1824 and the Southwest Florida Water Management District and the St.
1825 Johns River Water Management District shall monitor such
1826 agreements and easements within their respective districts until
1827 the state assumes this responsibility.

1828 ~~(4) PROJECT CRITERIA.~~

1829 ~~(a) Proceeds of bonds issued pursuant to this act and~~
1830 ~~distributed pursuant to paragraphs (3)(a) and (b) shall be spent~~
1831 ~~only on projects which meet at least one of the following~~
1832 ~~criteria, as determined pursuant to paragraphs (b) and (c):~~

1833 ~~1. A significant portion of the land in the project is in~~
1834 ~~imminent danger of development, in imminent danger of loss of~~
1835 ~~its significant natural attributes, or in imminent danger of~~
1836 ~~subdivision which will result in multiple ownership and may make~~
1837 ~~acquisition of the project more costly or less likely to be~~
1838 ~~accomplished;~~

272503

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Amendment No.

1839 ~~2. Compelling evidence exists that the land is likely to~~
1840 ~~be developed during the next 12 months, or appraisals made~~
1841 ~~during the past 5 years indicate an escalation in land value at~~
1842 ~~an average rate that exceeds the average rate of interest likely~~
1843 ~~to be paid on the bonds;~~

1844 ~~3. A significant portion of the land in the project serves~~
1845 ~~to protect or recharge groundwater and to protect other valuable~~
1846 ~~natural resources or provide space for natural resource based~~
1847 ~~recreation;~~

1848 ~~4. The project can be purchased at 80 percent of appraised~~
1849 ~~value or less;~~

1850 ~~5. A significant portion of the land in the project serves~~
1851 ~~as habitat for endangered, threatened, or rare species or serves~~
1852 ~~to protect natural communities which are listed by the Florida~~
1853 ~~Natural Areas Inventory as critically imperiled, imperiled, or~~
1854 ~~rare, or as excellent quality occurrences of natural~~
1855 ~~communities; or~~

1856 ~~6. A significant portion of the land serves to preserve~~
1857 ~~important archaeological or historical sites.~~

1858 ~~(b) Each year that bonds are to be issued pursuant to this~~
1859 ~~act, the Land Acquisition and Management Advisory Council shall~~
1860 ~~review that year's approved Conservation and Recreation Lands~~
1861 ~~priority list and shall, by the first board meeting in February,~~
1862 ~~present to the Board of Trustees of the Internal Improvement~~
1863 ~~Trust Fund for approval a listing of projects on the list which~~
1864 ~~meet one or more of the criteria listed in paragraph (a). The~~

272503

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Amendment No.

1865 ~~board may remove projects from the list developed pursuant to~~
1866 ~~this paragraph, but may not add projects.~~

1867 ~~(c) Each year that bonds are to be issued pursuant to this~~
1868 ~~act, each water management district governing board shall review~~
1869 ~~the lands on its current year's Save Our Rivers 5-year plan and~~
1870 ~~shall, by January 15, adopt a listing of projects from the plan~~
1871 ~~which meet one or more of the criteria listed in paragraph (a).~~

1872 ~~(d) In the acquisition of coastal lands pursuant to~~
1873 ~~paragraph (3)(a), the following additional criteria shall also~~
1874 ~~be considered:~~

1875 ~~1. The value of acquiring coastal high-hazard parcels,~~
1876 ~~consistent with hazard mitigation and postdisaster redevelopment~~
1877 ~~policies, in order to minimize the risk to life and property and~~
1878 ~~to reduce the need for future disaster assistance.~~

1879 ~~2. The value of acquiring beachfront parcels, irrespective~~
1880 ~~of size, to provide public access and recreational opportunities~~
1881 ~~in highly developed urban areas.~~

1882 ~~3. The value of acquiring identified parcels the~~
1883 ~~development of which would adversely affect coastal resources.~~

1884
1885 ~~When a nonprofit environmental organization which is tax-exempt~~
1886 ~~pursuant to s. 501(c)(3) of the United States Internal Revenue~~
1887 ~~Code sells land to the state, such land at the time of such sale~~
1888 ~~shall be deemed to meet one or more of the criteria listed in~~
1889 ~~paragraph (a) if such land meets one or more of the criteria at~~
1890 ~~the time the organization purchases it. Listings of projects~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

1891 ~~compiled pursuant to paragraphs (b) and (c) may be revised to~~
1892 ~~include projects on the Conservation and Recreation Lands~~
1893 ~~priority list or in a water management district's 5-year plan~~
1894 ~~which come under the criteria in paragraph (a) after the dates~~
1895 ~~specified in paragraph (b) or paragraph (c). The requirement of~~
1896 ~~paragraph (3)(a) regarding coastal lands is met as long as an~~
1897 ~~average of one-fifth of the cumulative proceeds allocated~~
1898 ~~through fiscal year 1999-2000 pursuant to that paragraph is used~~
1899 ~~to purchase coastal lands.~~

1900 ~~(e) The Legislature finds that the Florida Preservation~~
1901 ~~2000 Program has provided financial resources that have enabled~~
1902 ~~the acquisition of significant amounts of land for public~~
1903 ~~ownership in the first 7 years of the program's existence. In~~
1904 ~~the remaining years of the Florida Preservation 2000 Program,~~
1905 ~~agencies that receive funds are encouraged to better coordinate~~
1906 ~~their expenditures so that future acquisitions, when combined~~
1907 ~~with previous acquisitions, will form more complete patterns of~~
1908 ~~protection for natural areas and functioning ecosystems to~~
1909 ~~better accomplish the intent of paragraph (2)(c).~~

1910 ~~(f) The Legislature intends that, in the remaining years~~
1911 ~~of the Florida Preservation 2000 Program, emphasis be given to~~
1912 ~~the completion of projects in which one or more parcels have~~
1913 ~~already been acquired and to the acquisition of lands containing~~
1914 ~~ecological resources which are either not represented or~~
1915 ~~underrepresented on lands currently in public ownership. The~~
1916 ~~Legislature also intends that future acquisitions under the~~

272503

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Amendment No.

1917 ~~Florida Preservation 2000 Program be limited to projects on the~~
1918 ~~current project lists, or any additions to the list as~~
1919 ~~determined and prioritized by the study, or those projects that~~
1920 ~~can reasonably be expected to be acquired by the end of the~~
1921 ~~Florida Preservation 2000 Program.~~

1922 ~~(4)(5) FLORIDA FOREST SERVICE FUND USE. Any funds received~~
1923 ~~by the Florida Forest Service from the Preservation 2000 Trust~~
1924 ~~Fund pursuant to paragraph (3)(c) shall be used only to pay the~~
1925 ~~cost of the acquisition of lands in furtherance of outdoor~~
1926 ~~recreation and natural resources conservation in this state. The~~
1927 ~~administration and use of any funds received by the Florida~~
1928 ~~Forest Service from the Preservation 2000 Trust Fund will be~~
1929 ~~subject to such terms and conditions imposed thereon by the~~
1930 ~~agency of the state responsible for the issuance of the revenue~~
1931 ~~bonds, the proceeds of which are deposited in the Preservation~~
1932 ~~2000 Trust Fund, including restrictions imposed to ensure that~~
1933 ~~the interest on any such revenue bonds issued by the state as~~
1934 ~~tax-exempt revenue bonds will not be included in the gross~~
1935 ~~income of the holders of such bonds for federal income tax~~
1936 ~~purposes. All deeds or leases with respect to any real property~~
1937 ~~acquired with Preservation 2000 funds received by the Florida~~
1938 ~~Forest Service must from the Preservation 2000 Trust Fund shall~~
1939 ~~contain sufficient ~~such~~ covenants and restrictions ~~as are~~~~
1940 ~~sufficient to ensure that the use of such real property at all~~
1941 ~~times complies with ~~s. 375.051~~ and s. 9, Art. XII of the 1968~~
1942 ~~Constitution of Florida, and shall contain reverter clauses~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

1943 providing for the reversion of title to such property to the
1944 Board of Trustees of the Internal Improvement Trust Fund or, in
1945 the case of a lease of such property, providing for termination
1946 of the lease upon a failure to use the property conveyed thereby
1947 for such purposes.

1948 ~~(5)(6)~~ DISPOSITION OF LANDS.—

1949 (a) Any lands acquired pursuant to s. 259.101(3)(a), (c),
1950 (d), (e), (f) or (g), Florida Statutes 2014, ~~paragraph (3)(a),~~
1951 ~~paragraph (3)(c), paragraph (3)(d), paragraph (3)(e), paragraph~~
1952 ~~(3)(f), or paragraph (3)(g),~~ if title to such lands is vested in
1953 the Board of Trustees of the Internal Improvement Trust Fund,
1954 may be disposed of by the Board of Trustees of the Internal
1955 Improvement Trust Fund in accordance with the provisions and
1956 procedures set forth in s. 253.034(6), and lands acquired
1957 pursuant to s. 259.101(3)(b), Florida Statutes 2014, ~~paragraph~~
1958 ~~(3)(b)~~ may be disposed of by the owning water management
1959 district in accordance with the procedures and provisions set
1960 forth in ss. 373.056 and 373.089 provided such disposition also
1961 shall satisfy the requirements of paragraphs (b) and (c).

1962 (b) Before land acquired with Preservation 2000 funds may
1963 be surplusd as required by s. 253.034(6), ~~or determined to be~~
1964 no longer required for its purposes under s. 373.056(4), as
1965 ~~whichever may be~~ applicable, there shall first be a
1966 determination by the Board of Trustees of the Internal
1967 Improvement Trust Fund, or, in the case of water management
1968 district lands, by the owning water management district, that

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

1969 such land no longer needs to be preserved in furtherance of the
1970 intent of the Florida Preservation 2000 Act. Any lands eligible
1971 to be disposed of under this procedure also may be used to
1972 acquire other lands through an exchange of lands ~~if, provided~~
1973 ~~the such~~ lands obtained in an exchange are described in s.
1974 259.101(3), Florida Statutes 2014 ~~the same paragraph of~~
1975 ~~subsection (3) as the lands disposed.~~

1976 (c) ~~Notwithstanding paragraphs (a) and (b), no such~~
1977 ~~disposition of land shall be made if such disposition would have~~
1978 ~~the effect of causing all or any portion of the interest on any~~
1979 ~~revenue bonds issued to fund the Florida Preservation 2000 Act~~
1980 ~~to lose their exclusion from gross income for purposes of~~
1981 ~~federal income taxation. Any Revenue derived from the disposal~~
1982 ~~of such lands acquired with Preservation 2000 funds may not be~~
1983 ~~used for any purpose except for deposit into the Florida~~
1984 ~~Preservation 2000 Trust Fund, or the Florida Forever Trust Fund~~
1985 ~~within the Department of Environmental Protection, for recredit~~
1986 ~~to the share held under s. 259.101(3), Florida Statutes 2014~~
1987 ~~subsection (3), in which such disposed land is described.~~

1988 (6)(7) ALTERNATE USES OF ACQUIRED LANDS.-

1989 (a) The Board of Trustees of the Internal Improvement
1990 Trust Fund, or, in the case of water management district lands,
1991 the owning water management district, may authorize the granting
1992 of a lease, easement, or license for the use of any lands
1993 acquired pursuant to s. 259.101(3), Florida Statutes 2014
1994 ~~subsection (3), for any governmental use permitted by s. 17,~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

1995 Art. IX of the State Constitution of 1885, as adopted by s.
1996 9(a), Art. XII of the State Constitution, and any other
1997 incidental public or private use that is determined by the board
1998 or the owning water management district to be compatible with
1999 the purposes for which such lands were acquired.

2000 (b) Any existing lease, easement, or license acquired for
2001 incidental public or private use on, under, or across any lands
2002 acquired pursuant to s. 259.101(3), Florida Statutes 2014,
2003 ~~subsection (3)~~ shall be presumed not to be incompatible with the
2004 purposes for which such lands were acquired.

2005 ~~(c) Notwithstanding the provisions of paragraph (a), no~~
2006 ~~such lease, easement, or license shall be entered into by the~~
2007 ~~Department of Environmental Protection or other appropriate~~
2008 ~~state agency if the granting of such lease, easement, or license~~
2009 ~~would adversely affect the exclusion of the interest on any~~
2010 ~~revenue bonds issued to fund the acquisition of the affected~~
2011 ~~lands from gross income for federal income tax purposes, as~~
2012 ~~described in s. 375.045(4).~~

2013 ~~(7)(8)~~ ALTERNATIVES TO FEE SIMPLE ACQUISITION.-

2014 (a) The Legislature finds that, with the increasing
2015 pressures on the natural areas of this state, the state must
2016 develop creative techniques to maximize the use of acquisition
2017 and management moneys. The Legislature also finds that the
2018 state's environmental land-buying agencies should be encouraged
2019 to augment their traditional, fee simple acquisition programs
2020 with the use of alternatives to fee simple acquisition

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2021 techniques. The Legislature also finds that using alternatives
2022 to fee simple acquisition by public land-buying agencies will
2023 achieve the following public policy goals:

2024 1. Allow more lands to be brought under public protection
2025 for preservation, conservation, and recreational purposes at
2026 less expense using public funds.

2027 2. Retain, on local government tax rolls, some portion of
2028 or interest in lands that ~~which~~ are under public protection.

2029 3. Reduce long-term management costs by allowing private
2030 property owners to continue acting as stewards of the land, as
2031 ~~where~~ appropriate.

2032
2033 Therefore, it is the intent of the Legislature that public land-
2034 buying agencies develop programs to pursue alternatives to fee
2035 simple acquisition and to educate private landowners about such
2036 alternatives and the benefits of such alternatives. It is also
2037 ~~is~~ the intent of the Legislature that the department and the
2038 water management districts spend a portion of their shares of
2039 Preservation 2000 bond proceeds to purchase eligible properties
2040 using alternatives to fee simple acquisition. Finally, it is the
2041 intent of the Legislature that public agencies acquire lands in
2042 fee simple for public access and recreational activities. Lands
2043 protected using alternatives to fee simple acquisition
2044 techniques may ~~shall~~ not be accessible to the public unless such
2045 access is negotiated with and agreed to by the private
2046 landowners who retain interests in such lands.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2047 (b) The Land Acquisition Advisory Council and the water
2048 management districts shall identify, within their 1997
2049 acquisition plans, those projects that ~~which~~ require a full fee
2050 simple interest to achieve the public policy goals, along with
2051 the reasons why full title is determined to be necessary. The
2052 council and the water management districts may use alternatives
2053 to fee simple acquisition to bring the remaining projects in
2054 their acquisition plans under public protection. For the
2055 purposes of this subsection, the term "alternatives to fee
2056 simple acquisition" includes the, ~~but is not limited to:~~
2057 purchase of development rights; conservation easements; flowage
2058 easements; purchase of timber rights, mineral rights, or hunting
2059 rights; purchase of agricultural interests or silvicultural
2060 interests; land protection agreements; fee simple acquisitions
2061 with reservations; or any other acquisition technique which
2062 achieves the public policy goals listed in paragraph (a). It is
2063 presumed that a private landowner retains the full range of uses
2064 for all the rights or interests in the landowner's land which
2065 are not specifically acquired by the public agency. Life estates
2066 and fee simple acquisitions with leaseback provisions do ~~shall~~
2067 not qualify as an alternative to fee simple acquisition under
2068 this subsection, although the department and the districts are
2069 encouraged to use such techniques if ~~where~~ appropriate.

2070 (c) The department and each water management district
2071 shall implement initiatives to use alternatives to fee simple
2072 acquisition and to educate private landowners about such

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2073 alternatives. These initiatives shall include at least two
2074 acquisitions a year by the department and each water management
2075 district utilizing alternatives to fee simple.

2076 (d) The Legislature finds that the lack of direct sales
2077 comparison information has served as an impediment to successful
2078 implementation of alternatives to fee simple acquisition. It is
2079 the intent of the Legislature that, in the absence of direct
2080 comparable sales information, appraisals of alternatives to fee
2081 simple acquisitions be based on the difference between the full
2082 fee simple valuation and the value of the interests remaining
2083 with the seller after acquisition.

2084 (e) The public agency that ~~which~~ has been assigned
2085 management responsibility shall inspect and monitor any less-
2086 than-fee-simple interest according to the terms of the purchase
2087 agreement relating to such interest.

2088 (f) The department and the water management districts may
2089 enter into joint acquisition agreements to jointly fund the
2090 purchase of lands using alternatives to fee simple techniques.

2091 (8) PUBLIC RECREATIONAL USE.—An agency or water management
2092 district that acquired lands using Preservation 2000 funds
2093 distributed pursuant to s. 259.101(3), Florida Statutes 2014,
2094 shall manage such lands to make them available for public
2095 recreational use if the recreational use does not interfere with
2096 the protection of natural resource values. Such agency or
2097 district may enter into an agreement with the department or
2098 other appropriate state agency to transfer management authority

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2099 to or to lease to such agencies lands purchased with
2100 Preservation 2000 funds, for the purpose of managing the lands
2101 to make them available for public recreational use. The water
2102 management districts and the department shall take action to
2103 control the growth of nonnative invasive plant species on lands
2104 they manage that were purchased with Preservation 2000 funds.

2105 Section 25. Section 259.105, Florida Statutes, is amended
2106 to read:

2107 259.105 The Florida Forever Act.—

2108 (1) This section may be cited as the "Florida Forever
2109 Act."

2110 (2) (a) The Legislature finds and declares that:

2111 1. Land acquisition programs have provided tremendous
2112 financial resources for purchasing environmentally significant
2113 lands to protect those lands from imminent development or
2114 alteration, thereby ensuring present and future generations'
2115 access to important waterways, open spaces, and recreation and
2116 conservation lands.

2117 2. The continued alteration and development of Florida's
2118 natural and rural areas to accommodate the state's growing
2119 population have contributed to the degradation of water
2120 resources, the fragmentation and destruction of wildlife
2121 habitats, the loss of outdoor recreation space, and the
2122 diminishment of wetlands, forests, working landscapes, and
2123 coastal open space.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2124 3. The potential development of Florida's remaining
2125 natural areas and escalation of land values require government
2126 efforts to restore, bring under public protection, or acquire
2127 lands and water areas to preserve the state's essential
2128 ecological functions and invaluable quality of life.

2129 4. It is essential to protect the state's ecosystems by
2130 promoting a more efficient use of land, to ensure opportunities
2131 for viable agricultural activities on working lands, and to
2132 promote vital rural and urban communities that support and
2133 produce development patterns consistent with natural resource
2134 protection.

2135 5. Florida's groundwater, surface waters, and springs are
2136 under tremendous pressure due to population growth and economic
2137 expansion and require special protection and restoration
2138 efforts, including the protection of uplands and springsheds
2139 that provide vital recharge to aquifer systems and are critical
2140 to the protection of water quality and water quantity of the
2141 aquifers and springs. To ensure that sufficient quantities of
2142 water are available to meet the current and future needs of the
2143 natural systems and citizens of the state, and assist in
2144 achieving the planning goals of the department and the water
2145 management districts, water resource development projects on
2146 public lands, where compatible with the resource values of and
2147 management objectives for the lands, are appropriate.

2148 6. The needs of urban, suburban, and small communities in
2149 Florida for high-quality outdoor recreational opportunities,

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2150 greenways, trails, and open space have not been fully met by
2151 previous acquisition programs. Through such programs as the
2152 Florida Communities Trust and the Florida Recreation Development
2153 Assistance Program, the state shall place additional emphasis on
2154 acquiring, protecting, preserving, and restoring open space,
2155 ecological greenways, and recreation properties within urban,
2156 suburban, and rural areas where pristine natural communities or
2157 water bodies no longer exist because of the proximity of
2158 developed property.

2159 7. Many of Florida's unique ecosystems, such as the
2160 Florida Everglades, are facing ecological collapse due to
2161 Florida's burgeoning population growth and other economic
2162 activities. To preserve these valuable ecosystems for future
2163 generations, essential parcels of land must be acquired to
2164 facilitate ecosystem restoration.

2165 8. Access to public lands to support a broad range of
2166 outdoor recreational opportunities and the development of
2167 necessary infrastructure, where compatible with the resource
2168 values of and management objectives for such lands, promotes an
2169 appreciation for Florida's natural assets and improves the
2170 quality of life.

2171 9. Acquisition of lands, in fee simple, less-than-fee
2172 interest, or other techniques shall be based on a comprehensive
2173 science-based assessment of Florida's natural resources which
2174 targets essential conservation lands by prioritizing all current
2175 and future acquisitions based on a uniform set of data and

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2176 planned so as to protect the integrity and function of
2177 ecological systems and working landscapes, and provide multiple
2178 benefits, including preservation of fish and wildlife habitat,
2179 recreation space for urban and rural areas, and the restoration
2180 of natural water storage, flow, and recharge.

2181 10. The state has embraced performance-based program
2182 budgeting as a tool to evaluate the achievements of publicly
2183 funded agencies, build in accountability, and reward those
2184 agencies which are able to consistently achieve quantifiable
2185 goals. While previous and existing state environmental programs
2186 have achieved varying degrees of success, few of these programs
2187 can be evaluated as to the extent of their achievements,
2188 primarily because performance measures, standards, outcomes, and
2189 goals were not established at the outset. Therefore, the Florida
2190 Forever program shall be developed and implemented in the
2191 context of measurable state goals and objectives.

2192 11. The state must play a major role in the recovery and
2193 management of its imperiled species through the acquisition,
2194 restoration, enhancement, and management of ecosystems that can
2195 support the major life functions of such species. It is the
2196 intent of the Legislature to support local, state, and federal
2197 programs that result in net benefit to imperiled species habitat
2198 by providing public and private land owners meaningful
2199 incentives for acquiring, restoring, managing, and repopulating
2200 habitats for imperiled species. It is the further intent of the
2201 Legislature that public lands, both existing and to be acquired,

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2202 identified by the lead land managing agency, in consultation
2203 with the Florida Fish and Wildlife Conservation Commission for
2204 animals or the Department of Agriculture and Consumer Services
2205 for plants, as habitat or potentially restorable habitat for
2206 imperiled species, be restored, enhanced, managed, and
2207 repopulated as habitat for such species to advance the goals and
2208 objectives of imperiled species management consistent with the
2209 purposes for which such lands are acquired without restricting
2210 other uses identified in the management plan. It is also the
2211 intent of the Legislature that of the proceeds distributed
2212 pursuant to subsection (3), additional consideration be given to
2213 acquisitions that achieve a combination of conservation goals,
2214 including the restoration, enhancement, management, or
2215 repopulation of habitat for imperiled species. The Acquisition
2216 and Restoration Council, in addition to the criteria in
2217 subsection (8)~~(9)~~, shall give weight to projects that include
2218 acquisition, restoration, management, or repopulation of habitat
2219 for imperiled species. The term "imperiled species" as used in
2220 this chapter and chapter 253, means plants and animals that are
2221 federally listed under the Endangered Species Act, or state-
2222 listed by the Fish and Wildlife Conservation Commission or the
2223 Department of Agriculture and Consumer Services.

2224 a. As part of the state's role, all state lands that have
2225 imperiled species habitat shall include as a consideration in
2226 management plan development the restoration, enhancement,
2227 management, and repopulation of such habitats. In addition, the

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2228 lead land managing agency of such state lands may use fees
2229 received from public or private entities for projects to offset
2230 adverse impacts to imperiled species or their habitat in order
2231 to restore, enhance, manage, repopulate, or acquire land and to
2232 implement land management plans developed under s. 253.034 or a
2233 land management prospectus developed and implemented under this
2234 chapter. Such fees shall be deposited into a foundation or fund
2235 created by each land management agency under s. 379.223, s.
2236 589.012, or s. 259.032(9)(c) ~~259.032(11)(e)~~, to be used solely
2237 to restore, manage, enhance, repopulate, or acquire imperiled
2238 species habitat.

2239 b. Where habitat or potentially restorable habitat for
2240 imperiled species is located on state lands, the Fish and
2241 Wildlife Conservation Commission and the Department of
2242 Agriculture and Consumer Services shall be included on any
2243 advisory group required under chapter 253, and the short-term
2244 and long-term management goals required under chapter 253 must
2245 advance the goals and objectives of imperiled species management
2246 consistent with the purposes for which the land was acquired
2247 without restricting other uses identified in the management
2248 plan.

2249 12. There is a need to change the focus and direction of
2250 the state's major land acquisition programs and to extend
2251 funding and bonding capabilities, so that future generations may
2252 enjoy the natural resources of this state.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2253 (b) The Legislature recognizes that acquisition of lands
2254 in fee simple is only one way to achieve the aforementioned
2255 goals and encourages the use of less-than-fee interests, other
2256 techniques, and the development of creative partnerships between
2257 governmental agencies and private landowners. Such partnerships
2258 may include those that advance the restoration, enhancement,
2259 management, or repopulation of imperiled species habitat on
2260 state lands as provided for in subparagraph (a)11. Easements
2261 acquired pursuant to s. 570.71(2)(a) and (b), land protection
2262 agreements, and nonstate funded tools such as rural land
2263 stewardship areas, sector planning, and mitigation should be
2264 used, where appropriate, to bring environmentally sensitive
2265 tracts under an acceptable level of protection at a lower
2266 financial cost to the public, and to provide private landowners
2267 with the opportunity to enjoy and benefit from their property.

2268 (c) Public agencies or other entities that receive funds
2269 under this section shall coordinate their expenditures so that
2270 project acquisitions, when combined with acquisitions under
2271 Florida Forever, Preservation 2000, Save Our Rivers, the Florida
2272 Communities Trust, other public land acquisition programs, and
2273 the techniques, partnerships, and tools referenced in
2274 subparagraph (a)11. and paragraph (b), are used to form more
2275 complete patterns of protection for natural areas, ecological
2276 greenways, and functioning ecosystems, to better accomplish the
2277 intent of this section.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2278 (d) A long-term financial commitment to restoring,
2279 enhancing, and managing Florida's public lands in order to
2280 implement land management plans developed under s. 253.034 or a
2281 land management prospectus developed and implemented under this
2282 chapter must accompany any land acquisition program to ensure
2283 that the natural resource values of such lands are restored,
2284 enhanced, managed, and protected; that the public enjoys the
2285 lands to their fullest potential; and that the state achieves
2286 the full benefits of its investment of public dollars.
2287 Innovative strategies such as public-private partnerships and
2288 interagency planning and sharing of resources shall be used to
2289 achieve the state's management goals.

2290 (e) With limited dollars available for restoration,
2291 enhancement, management, and acquisition of land and water areas
2292 and for providing long-term management and capital improvements,
2293 a competitive selection process shall select those projects best
2294 able to meet the goals of Florida Forever and maximize the
2295 efficient use of the program's funding.

2296 (f) To ensure success and provide accountability to the
2297 citizens of this state, it is the intent of the Legislature that
2298 any cash or bond proceeds used pursuant to this section be used
2299 to implement the goals and objectives recommended by a
2300 comprehensive science-based assessment and approved by the Board
2301 of Trustees of the Internal Improvement Trust Fund and the
2302 Legislature.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2303 (g) As it has with previous land acquisition programs, the
2304 Legislature recognizes the desires of the residents of this
2305 state to prosper through economic development and to preserve,
2306 restore, and manage the state's natural areas and recreational
2307 open space. The Legislature further recognizes the urgency of
2308 restoring the natural functions, including wildlife and
2309 imperiled species habitat functions, of public lands or water
2310 bodies before they are degraded to a point where recovery may
2311 never occur, yet acknowledges the difficulty of ensuring
2312 adequate funding for restoration, enhancement, and management
2313 efforts in light of other equally critical financial needs of
2314 the state. It is the Legislature's desire and intent to fund the
2315 implementation of this section and to do so in a fiscally
2316 responsible manner, by issuing bonds to be repaid with
2317 documentary stamp tax or other revenue sources, including those
2318 identified in subparagraph (a)11.

2319 (h) The Legislature further recognizes the important role
2320 that many of our state and federal military installations
2321 contribute to protecting and preserving Florida's natural
2322 resources as well as our economic prosperity. Where the state's
2323 land conservation plans overlap with the military's need to
2324 protect lands, waters, and habitat to ensure the sustainability
2325 of military missions, it is the Legislature's intent that
2326 agencies receiving funds under this program cooperate with our
2327 military partners to protect and buffer military installations
2328 and military airspace, by:

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2329 1. Protecting habitat on nonmilitary land for any species
2330 found on military land that is designated as threatened or
2331 endangered, or is a candidate for such designation under the
2332 Endangered Species Act or any Florida statute;

2333 2. Protecting areas underlying low-level military air
2334 corridors or operating areas;

2335 3. Protecting areas identified as clear zones, accident
2336 potential zones, and air installation compatible use buffer
2337 zones delineated by our military partners; and

2338 4. Providing the military with technical assistance to
2339 restore, enhance, and manage military land as habitat for
2340 imperiled species or species designated as threatened or
2341 endangered, or a candidate for such designation, and for the
2342 recovery or reestablishment of such species.

2343 (3) Less the costs of issuing and the costs of funding
2344 reserve accounts and other costs associated with bonds, the
2345 proceeds of cash payments or bonds issued pursuant to this
2346 section shall be deposited into the Florida Forever Trust Fund
2347 created by s. 259.1051. The proceeds shall be distributed by the
2348 Department of Environmental Protection in the following manner:

2349 (a) Thirty percent to the Department of Environmental
2350 Protection for the acquisition of lands and capital project
2351 expenditures necessary to implement the water management
2352 districts' priority lists developed pursuant to s. 373.199. The
2353 funds are to be distributed to the water management districts as
2354 provided in subsection (11). A minimum of 50 percent of the

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2355 total funds provided over the life of the Florida Forever
2356 program pursuant to this paragraph shall be used for the
2357 acquisition of lands.

2358 (b) Thirty-five percent to the Department of Environmental
2359 Protection for the acquisition of lands and capital project
2360 expenditures described in this section. Of the proceeds
2361 distributed pursuant to this paragraph, it is the intent of the
2362 Legislature that an increased priority be given to those
2363 acquisitions which achieve a combination of conservation goals,
2364 including protecting Florida's water resources and natural
2365 groundwater recharge. At a minimum, 3 percent, and no more than
2366 10 percent, of the funds allocated pursuant to this paragraph
2367 shall be spent on capital project expenditures identified during
2368 the time of acquisition which meet land management planning
2369 activities necessary for public access.

2370 (c) Twenty-one percent to the Department of Environmental
2371 Protection for use by the Florida Communities Trust for the
2372 purposes of part III of chapter 380, as described and limited by
2373 this subsection, and grants to local governments or nonprofit
2374 environmental organizations that are tax-exempt under s.
2375 501(c)(3) of the United States Internal Revenue Code for the
2376 acquisition of community-based projects, urban open spaces,
2377 parks, and greenways to implement local government comprehensive
2378 plans. From funds available to the trust and used for land
2379 acquisition, 75 percent shall be matched by local governments on
2380 a dollar-for-dollar basis. The Legislature intends that the

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2381 Florida Communities Trust emphasize funding projects in low-
2382 income or otherwise disadvantaged communities and projects that
2383 provide areas for direct water access and water-dependent
2384 facilities that are open to the public and offer public access
2385 by vessels to waters of the state, including boat ramps and
2386 associated parking and other support facilities. At least 30
2387 percent of the total allocation provided to the trust shall be
2388 used in Standard Metropolitan Statistical Areas, but one-half of
2389 that amount shall be used in localities in which the project
2390 site is located in built-up commercial, industrial, or mixed-use
2391 areas and functions to intersperse open spaces within congested
2392 urban core areas. From funds allocated to the trust, no less
2393 than 5 percent shall be used to acquire lands for recreational
2394 trail systems, provided that in the event these funds are not
2395 needed for such projects, they will be available for other trust
2396 projects. Local governments may use federal grants or loans,
2397 private donations, or environmental mitigation funds, including
2398 environmental mitigation funds required pursuant to s. 338.250,
2399 for any part or all of any local match required for acquisitions
2400 funded through the Florida Communities Trust. Any lands
2401 purchased by nonprofit organizations using funds allocated under
2402 this paragraph must provide for such lands to remain permanently
2403 in public use through a reversion of title to local or state
2404 government, conservation easement, or other appropriate
2405 mechanism. Projects funded with funds allocated to the trust

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2406 shall be selected in a competitive process measured against
2407 criteria adopted in rule by the trust.

2408 (d) Two percent to the Department of Environmental
2409 Protection for grants pursuant to s. 375.075.

2410 (e) One and five-tenths percent to the Department of
2411 Environmental Protection for the purchase of inholdings and
2412 additions to state parks and for capital project expenditures as
2413 described in this section. At a minimum, 1 percent, and no more
2414 than 10 percent, of the funds allocated pursuant to this
2415 paragraph shall be spent on capital project expenditures
2416 identified during the time of acquisition which meet land
2417 management planning activities necessary for public access. For
2418 the purposes of this paragraph, "state park" means any real
2419 property in the state which is under the jurisdiction of the
2420 Division of Recreation and Parks of the department, or which may
2421 come under its jurisdiction.

2422 (f) One and five-tenths percent to the Florida Forest
2423 Service of the Department of Agriculture and Consumer Services
2424 to fund the acquisition of state forest inholdings and additions
2425 pursuant to s. 589.07, the implementation of reforestation plans
2426 or sustainable forestry management practices, and for capital
2427 project expenditures as described in this section. At a minimum,
2428 1 percent, and no more than 10 percent, of the funds allocated
2429 for the acquisition of inholdings and additions pursuant to this
2430 paragraph shall be spent on capital project expenditures

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2431 identified during the time of acquisition which meet land
2432 management planning activities necessary for public access.

2433 (g) One and five-tenths percent to the Fish and Wildlife
2434 Conservation Commission to fund the acquisition of inholdings
2435 and additions to lands managed by the commission which are
2436 important to the conservation of fish and wildlife and for
2437 capital project expenditures as described in this section. At a
2438 minimum, 1 percent, and no more than 10 percent, of the funds
2439 allocated pursuant to this paragraph shall be spent on capital
2440 project expenditures identified during the time of acquisition
2441 which meet land management planning activities necessary for
2442 public access.

2443 (h) One and five-tenths percent to the Department of
2444 Environmental Protection for the Florida Greenways and Trails
2445 Program, to acquire greenways and trails or greenways and trail
2446 systems pursuant to chapter 260, including, but not limited to,
2447 abandoned railroad rights-of-way and the Florida National Scenic
2448 Trail and for capital project expenditures as described in this
2449 section. At a minimum, 1 percent, and no more than 10 percent,
2450 of the funds allocated pursuant to this paragraph shall be spent
2451 on capital project expenditures identified during the time of
2452 acquisition which meet land management planning activities
2453 necessary for public access.

2454 (i) Three and five-tenths percent to the Department of
2455 Agriculture and Consumer Services for the acquisition of
2456 agricultural lands, through perpetual conservation easements and

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2457 other perpetual less-than-fee techniques, which will achieve the
2458 objectives of Florida Forever and s. 570.71. Rules concerning
2459 the application, acquisition, and priority ranking process for
2460 such easements shall be developed pursuant to s. 570.71(10) and
2461 as provided by this paragraph. The board shall ensure that such
2462 rules are consistent with the acquisition process provided for
2463 in s. 259.041. Provisions of the rules developed pursuant to s.
2464 570.71(10), shall also provide for the following:

2465 1. An annual priority list shall be developed pursuant to
2466 s. 570.71(10), submitted to the Acquisition and Restoration
2467 Council for review, and approved by the board pursuant to s.
2468 259.04.

2469 2. Terms of easements and acquisitions proposed pursuant
2470 to this paragraph shall be approved by the board and shall not
2471 be delegated by the board to any other entity receiving funds
2472 under this section.

2473 3. All acquisitions pursuant to this paragraph shall
2474 contain a clear statement that they are subject to legislative
2475 appropriation.

2476

2477 No funds provided under this paragraph shall be expended until
2478 final adoption of rules by the board pursuant to s. 570.71.

2479 (j) Two and five-tenths percent to the Department of
2480 Environmental Protection for the acquisition of land and capital
2481 project expenditures necessary to implement the Stan Mayfield

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2482 Working Waterfronts Program within the Florida Communities Trust
2483 pursuant to s. 380.5105.

2484 (k) It is the intent of the Legislature that cash payments
2485 or proceeds of Florida Forever bonds distributed under this
2486 section shall be expended in an efficient and fiscally
2487 responsible manner. An agency that receives proceeds from
2488 Florida Forever bonds under this section may not maintain a
2489 balance of unencumbered funds in its Florida Forever subaccount
2490 beyond 3 fiscal years from the date of deposit of funds from
2491 each bond issue. Any funds that have not been expended or
2492 encumbered after 3 fiscal years from the date of deposit shall
2493 be distributed by the Legislature at its next regular session
2494 for use in the Florida Forever program.

2495 (l) For the purposes of paragraphs (e), (f), (g), and (h),
2496 the agencies that receive the funds shall develop their
2497 individual acquisition or restoration lists in accordance with
2498 specific criteria and numeric performance measures developed
2499 pursuant s. 259.035(4). Proposed additions may be acquired if
2500 they are identified within the original project boundary, the
2501 management plan required pursuant to s. 253.034(5), or the
2502 management prospectus required pursuant to s. 259.032(7)(d)
2503 ~~259.032(9)(d)~~. Proposed additions not meeting the requirements
2504 of this paragraph shall be submitted to the Acquisition and
2505 Restoration Council for approval. The council may only approve
2506 the proposed addition if it meets two or more of the following
2507 criteria: serves as a link or corridor to other publicly owned

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2508 property; enhances the protection or management of the property;
2509 would add a desirable resource to the property; would create a
2510 more manageable boundary configuration; has a high resource
2511 value that otherwise would be unprotected; or can be acquired at
2512 less than fair market value.

2513 ~~(m) Notwithstanding paragraphs (a) (j) and for the 2014-~~
2514 ~~2015 fiscal year only:~~

2515 ~~1. Five million dollars to the Department of Agriculture~~
2516 ~~and Consumer Services for the acquisition of agricultural lands~~
2517 ~~through perpetual conservation easements and other perpetual~~
2518 ~~less-than-fee techniques, which will achieve the objectives of~~
2519 ~~Florida Forever and s. 570.71.~~

2520 ~~2. The remaining moneys appropriated from the Florida~~
2521 ~~Forever Trust Fund shall be distributed only to the Division of~~
2522 ~~State Lands within the Department of Environmental Protection~~
2523 ~~for land acquisitions that are less-than-fee interest, for~~
2524 ~~partnerships in which the state's portion of the acquisition~~
2525 ~~cost is no more than 50 percent, or for conservation lands~~
2526 ~~needed for military buffering or springs or water resources~~
2527 ~~protection.~~

2528
2529 ~~This paragraph expires July 1, 2015.~~

2530 ~~(4) Notwithstanding subsection (3) and for the 2014-2015~~
2531 ~~fiscal year only, the funds appropriated in section 56 of the~~
2532 ~~2014-2015 General Appropriations Act may be provided to water~~
2533 ~~management districts for land acquisitions, including less-than-~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2534 ~~fee interest, identified by water management districts as being~~
2535 ~~needed for water resource protection or ecosystem restoration.~~
2536 ~~This subsection expires July 1, 2015.~~

2537 (4) It is the intent of the Legislature that projects
2538 or acquisitions funded pursuant to paragraphs (3) (a) and (b)
2539 contribute to the achievement of the following goals, which
2540 shall be evaluated in accordance with specific criteria and
2541 numeric performance measures developed pursuant s. 259.035(4):

2542 (a) Enhance the coordination and completion of land
2543 acquisition projects, as measured by:

2544 1. The number of acres acquired through the state's land
2545 acquisition programs that contribute to the enhancement of
2546 essential natural resources, ecosystem service parcels, and
2547 connecting linkage corridors as identified and developed by the
2548 best available scientific analysis;

2549 2. The number of acres protected through the use of
2550 alternatives to fee simple acquisition; or

2551 3. The number of shared acquisition projects among Florida
2552 Forever funding partners and partners with other funding
2553 sources, including local governments and the Federal Government.

2554 (b) Increase the protection of Florida's biodiversity at
2555 the species, natural community, and landscape levels, as
2556 measured by:

2557 1. The number of acres acquired of significant strategic
2558 habitat conservation areas;

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2559 2. The number of acres acquired of highest priority
2560 conservation areas for Florida's rarest species;

2561 3. The number of acres acquired of significant landscapes,
2562 landscape linkages, and conservation corridors, giving priority
2563 to completing linkages;

2564 4. The number of acres acquired of underrepresented native
2565 ecosystems;

2566 5. The number of landscape-sized protection areas of at
2567 least 50,000 acres that exhibit a mosaic of predominantly intact
2568 or restorable natural communities established through new
2569 acquisition projects or augmentations to previous projects; or

2570 6. The percentage increase in the number of occurrences of
2571 imperiled species on publicly managed conservation areas.

2572 (c) Protect, restore, and maintain the quality and natural
2573 functions of land, water, and wetland systems of the state, as
2574 measured by:

2575 1. The number of acres of publicly owned land identified
2576 as needing restoration, enhancement, and management, acres
2577 undergoing restoration or enhancement, acres with restoration
2578 activities completed, and acres managed to maintain such
2579 restored or enhanced conditions; the number of acres which
2580 represent actual or potential imperiled species habitat; the
2581 number of acres which are available pursuant to a management
2582 plan to restore, enhance, repopulate, and manage imperiled
2583 species habitat; and the number of acres of imperiled species
2584 habitat managed, restored, enhanced, repopulated, or acquired;

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2585 2. The percentage of water segments that fully meet,
2586 partially meet, or do not meet their designated uses as reported
2587 in the Department of Environmental Protection's State Water
2588 Quality Assessment 305(b) Report;

2589 3. The percentage completion of targeted capital
2590 improvements in surface water improvement and management plans
2591 created under s. 373.453(2), regional or master stormwater
2592 management system plans, or other adopted restoration plans;

2593 4. The number of acres acquired that protect natural
2594 floodplain functions;

2595 5. The number of acres acquired that protect surface
2596 waters of the state;

2597 6. The number of acres identified for acquisition to
2598 minimize damage from flooding and the percentage of those acres
2599 acquired;

2600 7. The number of acres acquired that protect fragile
2601 coastal resources;

2602 8. The number of acres of functional wetland systems
2603 protected;

2604 9. The percentage of miles of critically eroding beaches
2605 contiguous with public lands that are restored or protected from
2606 further erosion;

2607 10. The percentage of public lakes and rivers in which
2608 invasive, nonnative aquatic plants are under maintenance
2609 control; or

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2610 11. The number of acres of public conservation lands in
2611 which upland invasive, exotic plants are under maintenance
2612 control.

2613 (d) Ensure that sufficient quantities of water are
2614 available to meet the current and future needs of natural
2615 systems and the citizens of the state, as measured by:

2616 1. The number of acres acquired which provide retention
2617 and storage of surface water in naturally occurring storage
2618 areas, such as lakes and wetlands, consistent with the
2619 maintenance of water resources or water supplies and consistent
2620 with district water supply plans;

2621 2. The quantity of water made available through the water
2622 resource development component of a district water supply plan
2623 for which a water management district is responsible; or

2624 3. The number of acres acquired of groundwater recharge
2625 areas critical to springs, sinks, aquifers, other natural
2626 systems, or water supply.

2627 (e) Increase natural resource-based public recreational
2628 and educational opportunities, as measured by:

2629 1. The number of acres acquired that are available for
2630 natural resource-based public recreation or education;

2631 2. The miles of trails that are available for public
2632 recreation, giving priority to those that provide significant
2633 connections including those that will assist in completing the
2634 Florida National Scenic Trail; or

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2635 3. The number of new resource-based recreation facilities,
2636 by type, made available on public land.

2637 (f) Preserve significant archaeological or historic sites,
2638 as measured by:

2639 1. The increase in the number of and percentage of
2640 historic and archaeological properties listed in the Florida
2641 Master Site File or National Register of Historic Places which
2642 are protected or preserved for public use; or

2643 2. The increase in the number and percentage of historic
2644 and archaeological properties that are in state ownership.

2645 (g) Increase the amount of forestland available for
2646 sustainable management of natural resources, as measured by:

2647 1. The number of acres acquired that are available for
2648 sustainable forest management;

2649 2. The number of acres of state-owned forestland managed
2650 for economic return in accordance with current best management
2651 practices;

2652 3. The number of acres of forestland acquired that will
2653 serve to maintain natural groundwater recharge functions; or

2654 4. The percentage and number of acres identified for
2655 restoration actually restored by reforestation.

2656 (h) Increase the amount of open space available in urban
2657 areas, as measured by:

2658 1. The percentage of local governments that participate in
2659 land acquisition programs and acquire open space in urban cores;
2660 or

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2661 2. The percentage and number of acres of purchases of open
2662 space within urban service areas.

2663
2664 Florida Forever projects and acquisitions funded pursuant to
2665 paragraph (3)(c) shall be measured by goals developed by rule by
2666 the Florida Communities Trust Governing Board created in s.
2667 380.504.

2668 ~~(5)~~(6)(a) All lands acquired pursuant to this section
2669 shall be managed for multiple-use purposes, where compatible
2670 with the resource values of and management objectives for such
2671 lands. As used in this section, "multiple-use" includes, but is
2672 not limited to, outdoor recreational activities as described in
2673 ss. 253.034 and 259.032(7)(b) ~~259.032(9)(b)~~, water resource
2674 development projects, sustainable forestry management, carbon
2675 sequestration, carbon mitigation, or carbon offsets.

2676 (b) Upon a decision by the entity in which title to lands
2677 acquired pursuant to this section has vested, such lands may be
2678 designated single use as defined in s. 253.034(2)(b).

2679 (c) For purposes of this section, the Board of Trustees of
2680 the Internal Improvement Trust Fund shall adopt rules that
2681 pertain to the use of state lands for carbon sequestration,
2682 carbon mitigation, or carbon offsets and that provide for
2683 climate-change-related benefits.

2684 ~~(6)~~(7) As provided in this section, a water resource or
2685 water supply development project may be allowed only if the
2686 following conditions are met: minimum flows and levels have been

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2687 established for those waters, if any, which may reasonably be
2688 expected to experience significant harm to water resources as a
2689 result of the project; the project complies with all applicable
2690 permitting requirements; and the project is consistent with the
2691 regional water supply plan, if any, of the water management
2692 district and with relevant recovery or prevention strategies if
2693 required pursuant to s. 373.0421(2).

2694 (7) (a) ~~(8) (a)~~ Beginning no later than July 1, 2001, and
2695 every year thereafter, the Acquisition and Restoration Council
2696 shall accept applications from state agencies, local
2697 governments, nonprofit and for-profit organizations, private
2698 land trusts, and individuals for project proposals eligible for
2699 funding pursuant to paragraph (3) (b). The council shall evaluate
2700 the proposals received pursuant to this subsection to ensure
2701 that they meet at least one of the criteria under subsection
2702 (8) (9).

2703 (b) Project applications shall contain, at a minimum, the
2704 following:

2705 1. A minimum of two numeric performance measures that
2706 directly relate to the overall goals adopted by the council.
2707 Each performance measure shall include a baseline measurement,
2708 which is the current situation; a performance standard which the
2709 project sponsor anticipates the project will achieve; and the
2710 performance measurement itself, which should reflect the
2711 incremental improvements the project accomplishes towards
2712 achieving the performance standard.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2713 2. Proof that property owners within any proposed
2714 acquisition have been notified of their inclusion in the
2715 proposed project. Any property owner may request the removal of
2716 such property from further consideration by submitting a request
2717 to the project sponsor or the Acquisition and Restoration
2718 Council by certified mail. Upon receiving this request, the
2719 council shall delete the property from the proposed project;
2720 however, the board of trustees, at the time it votes to approve
2721 the proposed project lists pursuant to subsection (15)~~(16)~~, may
2722 add the property back on to the project lists if it determines
2723 by a super majority of its members that such property is
2724 critical to achieve the purposes of the project.

2725 (c) The title to lands acquired under this section shall
2726 vest in the Board of Trustees of the Internal Improvement Trust
2727 Fund, except that title to lands acquired by a water management
2728 district shall vest in the name of that district and lands
2729 acquired by a local government shall vest in the name of the
2730 purchasing local government.

2731 ~~(8)~~~~(9)~~ The Acquisition and Restoration Council shall
2732 develop a project list that shall represent those projects
2733 submitted pursuant to subsection (6)~~(7)~~.

2734 ~~(9)~~~~(10)~~ The Acquisition and Restoration Council shall
2735 recommend rules for adoption by the board of trustees to
2736 competitively evaluate, select, and rank projects eligible for
2737 Florida Forever funds pursuant to paragraph (3) (b) ~~and for~~
2738 ~~additions to the Conservation and Recreation Lands list pursuant~~

272503

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Amendment No.

2739 ~~to ss. 259.032 and 259.101(4)~~. In developing these proposed
2740 rules, the Acquisition and Restoration Council shall give weight
2741 to the following criteria:

2742 (a) The project meets multiple goals described in
2743 subsection (4).

2744 (b) The project is part of an ongoing governmental effort
2745 to restore, protect, or develop land areas or water resources.

2746 (c) The project enhances or facilitates management of
2747 properties already under public ownership.

2748 (d) The project has significant archaeological or historic
2749 value.

2750 (e) The project has funding sources that are identified
2751 and assured through at least the first 2 years of the project.

2752 (f) The project contributes to the solution of water
2753 resource problems on a regional basis.

2754 (g) The project has a significant portion of its land area
2755 in imminent danger of development, in imminent danger of losing
2756 its significant natural attributes or recreational open space,
2757 or in imminent danger of subdivision which would result in
2758 multiple ownership and make acquisition of the project costly or
2759 less likely to be accomplished.

2760 (h) The project implements an element from a plan
2761 developed by an ecosystem management team.

2762 (i) The project is one of the components of the Everglades
2763 restoration effort.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2764 (j) The project may be purchased at 80 percent of
2765 appraised value.

2766 (k) The project may be acquired, in whole or in part,
2767 using alternatives to fee simple, including but not limited to,
2768 tax incentives, mitigation funds, or other revenues; the
2769 purchase of development rights, hunting rights, agricultural or
2770 silvicultural rights, or mineral rights; or obtaining
2771 conservation easements or flowage easements.

2772 (l) The project is a joint acquisition, either among
2773 public agencies, nonprofit organizations, or private entities,
2774 or by a public-private partnership.

2775 (10)~~(11)~~ The Acquisition and Restoration Council shall
2776 give increased priority to those projects for which matching
2777 funds are available and to project elements previously
2778 identified on an acquisition list pursuant to this section that
2779 can be acquired at 80 percent or less of appraised value. The
2780 council shall also give increased priority to those projects
2781 where the state's land conservation plans overlap with the
2782 military's need to protect lands, water, and habitat to ensure
2783 the sustainability of military missions including:

2784 (a) Protecting habitat on nonmilitary land for any species
2785 found on military land that is designated as threatened or
2786 endangered, or is a candidate for such designation under the
2787 Endangered Species Act or any Florida statute;

2788 (b) Protecting areas underlying low-level military air
2789 corridors or operating areas; and

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2790 (c) Protecting areas identified as clear zones, accident
2791 potential zones, and air installation compatible use buffer
2792 zones delineated by our military partners, and for which federal
2793 or other funding is available to assist with the project.

2794 ~~(11)-(12)~~ For the purposes of funding projects pursuant to
2795 paragraph (3) (a), the Secretary of Environmental Protection
2796 shall ensure that each water management district receives the
2797 following percentage of funds annually:

2798 (a) Thirty-five percent to the South Florida Water
2799 Management District, of which amount \$25 million for 2 years
2800 beginning in fiscal year 2000-2001 shall be transferred by the
2801 Department of Environmental Protection into the Save Our
2802 Everglades Trust Fund and shall be used exclusively to implement
2803 the comprehensive plan under s. 373.470.

2804 (b) Twenty-five percent to the Southwest Florida Water
2805 Management District.

2806 (c) Twenty-five percent to the St. Johns River Water
2807 Management District.

2808 (d) Seven and one-half percent to the Suwannee River Water
2809 Management District.

2810 (e) Seven and one-half percent to the Northwest Florida
2811 Water Management District.

2812 ~~(12)-(13)~~ It is the intent of the Legislature that in
2813 developing the list of projects for funding pursuant to
2814 paragraph (3) (a), that these funds not be used to abrogate the
2815 financial responsibility of those point and nonpoint sources

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2816 that have contributed to the degradation of water or land areas.
2817 Therefore, an increased priority shall be given by the water
2818 management district governing boards to those projects that have
2819 secured a cost-sharing agreement allocating responsibility for
2820 the cleanup of point and nonpoint sources.

2821 ~~(13)-(14)~~ An affirmative vote of five members of the
2822 Acquisition and Restoration Council shall be required in order
2823 to place a proposed project on the list developed pursuant to
2824 subsection (7) ~~(8)~~. Any member of the council who by family or a
2825 business relationship has a connection with any project proposed
2826 to be ranked shall declare such interest prior to voting for a
2827 project's inclusion on the list.

2828 ~~(14)-(15)~~ Each year that cash disbursements or bonds are to
2829 be issued pursuant to this section, the Acquisition and
2830 Restoration Council shall review the most current approved
2831 project list and shall, by the first board meeting in May,
2832 present to the Board of Trustees of the Internal Improvement
2833 Trust Fund for approval a listing of projects developed pursuant
2834 to subsection (7) ~~(8)~~. The board of trustees may remove projects
2835 from the list developed pursuant to this subsection, but may not
2836 add projects or rearrange project rankings.

2837 ~~(15)-(16)~~ The Acquisition and Restoration Council shall
2838 submit to the board of trustees, with its list of projects, a
2839 report that includes, but shall not be limited to, the following
2840 information for each project listed:

2841 (a) The stated purpose for inclusion.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

- 2842 (b) Projected costs to achieve the project goals.
- 2843 (c) An interim management budget that includes all costs
2844 associated with immediate public access.
- 2845 (d) Specific performance measures.
- 2846 (e) Plans for public access.
- 2847 (f) An identification of the essential parcel or parcels
2848 within the project without which the project cannot be properly
2849 managed.
- 2850 (g) Where applicable, an identification of those projects
2851 or parcels within projects which should be acquired in fee
2852 simple or in less than fee simple.
- 2853 (h) An identification of those lands being purchased for
2854 conservation purposes.
- 2855 (i) A management policy statement for the project and a
2856 management prospectus pursuant to s. 259.032(7)(d)
2857 ~~259.032(9)(d)~~.
- 2858 (j) An estimate of land value based on county tax assessed
2859 values.
- 2860 (k) A map delineating project boundaries.
- 2861 (l) An assessment of the project's ecological value,
2862 outdoor recreational value, forest resources, wildlife
2863 resources, ownership pattern, utilization, and location.
- 2864 (m) A discussion of whether alternative uses are proposed
2865 for the property and what those uses are.
- 2866 (n) A designation of the management agency or agencies.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2867 ~~(16)-(17)~~ All proposals for projects pursuant to paragraph
2868 (3) (b) shall be implemented only if adopted by the Acquisition
2869 and Restoration Council and approved by the board of trustees.
2870 The council shall consider and evaluate in writing the merits
2871 and demerits of each project that is proposed for Florida
2872 Forever funding ~~and each proposed addition to the Conservation~~
2873 ~~and Recreation Lands list program.~~ The council shall ensure that
2874 each proposed project will meet a stated public purpose for the
2875 restoration, conservation, or preservation of environmentally
2876 sensitive lands and water areas or for providing outdoor
2877 recreational opportunities ~~and that each proposed addition to~~
2878 ~~the Conservation and Recreation Lands list will meet the public~~
2879 ~~purposes under s. 259.032(3) and, when applicable, s.~~
2880 ~~259.101(4).~~ The council also shall determine whether the project
2881 or addition conforms, where applicable, with the comprehensive
2882 plan developed pursuant to s. 259.04(1)(a), the comprehensive
2883 multipurpose outdoor recreation plan developed pursuant to s.
2884 375.021, the state lands management plan adopted pursuant to s.
2885 253.03(7), the water resources work plans developed pursuant to
2886 s. 373.199, and the provisions of this section.

2887 ~~(17)-(18)~~ On an annual basis, the Division of State Lands
2888 shall prepare an annual work plan that prioritizes projects on
2889 the Florida Forever list and sets forth the funding available in
2890 the fiscal year for land acquisition. The work plan shall
2891 consider the following categories of expenditure for land

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2892 conservation projects already selected for the Florida Forever
2893 list pursuant to subsection (7) ~~(8)~~:

2894 (a) A critical natural lands category, including
2895 functional landscape-scale natural systems, intact large
2896 hydrological systems, lands that have significant imperiled
2897 natural communities, and corridors linking large landscapes, as
2898 identified and developed by the best available scientific
2899 analysis.

2900 (b) A partnerships or regional incentive category,
2901 including:

2902 1. Projects where local and regional cost-share agreements
2903 provide a lower cost and greater conservation benefit to the
2904 people of the state. Additional consideration shall be provided
2905 under this category where parcels are identified as part of a
2906 local or regional visioning process and are supported by
2907 scientific analysis; and

2908 2. Bargain and shared projects where the state will
2909 receive a significant reduction in price for public ownership of
2910 land as a result of the removal of development rights or other
2911 interests in lands or receives alternative or matching funds.

2912 (c) A substantially complete category of projects where
2913 mainly inholdings, additions, and linkages between preserved
2914 areas will be acquired and where 85 percent of the project is
2915 complete.

2916 (d) A climate-change category list of lands where
2917 acquisition or other conservation measures will address the

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2918 challenges of global climate change, such as through protection,
2919 restoration, mitigation, and strengthening of Florida's land,
2920 water, and coastal resources. This category includes lands that
2921 provide opportunities to sequester carbon, provide habitat,
2922 protect coastal lands or barrier islands, and otherwise mitigate
2923 and help adapt to the effects of sea-level rise and meet other
2924 objectives of the program.

2925 (e) A less-than-fee category for working agricultural
2926 lands that significantly contribute to resource protection
2927 through conservation easements and other less-than-fee
2928 techniques, tax incentives, life estates, landowner agreements,
2929 and other partnerships, including conservation easements
2930 acquired in partnership with federal conservation programs,
2931 which will achieve the objectives of Florida Forever while
2932 allowing the continuation of compatible agricultural uses on the
2933 land. Terms of easements proposed for acquisition under this
2934 category shall be developed by the Division of State Lands in
2935 coordination with the Department of Agriculture and Consumer
2936 Services.

2937
2938 Projects within each category shall be ranked by order of
2939 priority. The work plan shall be adopted by the Acquisition and
2940 Restoration Council after at least one public hearing. A copy of
2941 the work plan shall be provided to the board of trustees of the
2942 Internal Improvement Trust Fund no later than October 1 of each
2943 year.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2944 ~~(18)-(19)~~(a) The Board of Trustees of the Internal
2945 Improvement Trust Fund, or, in the case of water management
2946 district lands, the owning water management district, may
2947 authorize the granting of a lease, easement, or license for the
2948 use of certain lands acquired pursuant to this section, for
2949 certain uses that are determined by the appropriate board to be
2950 compatible with the resource values of and management objectives
2951 for such lands.

2952 (b) Any existing lease, easement, or license acquired for
2953 incidental public or private use on, under, or across any lands
2954 acquired pursuant to this section shall be presumed to be
2955 compatible with the purposes for which such lands were acquired.

2956 (c) Notwithstanding the provisions of paragraph (a), no
2957 such lease, easement, or license shall be entered into by the
2958 Department of Environmental Protection or other appropriate
2959 state agency if the granting of such lease, easement, or license
2960 would adversely affect the exclusion of the interest on any
2961 revenue bonds issued to fund the acquisition of the affected
2962 lands from gross income for federal income tax purposes,
2963 pursuant to Internal Revenue Service regulations.

2964 ~~(19)-(20)~~ The Acquisition and Restoration Council shall
2965 recommend adoption of rules by the board of trustees necessary
2966 to implement the provisions of this section relating to:
2967 solicitation, scoring, selecting, and ranking of Florida Forever
2968 project proposals; disposing of or leasing lands or water areas
2969 selected for funding through the Florida Forever program; and

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2970 the process of reviewing and recommending for approval or
2971 rejection the land management plans associated with publicly
2972 owned properties. Rules promulgated pursuant to this subsection
2973 shall be submitted to the President of the Senate and the
2974 Speaker of the House of Representatives, for review by the
2975 Legislature, no later than 30 days prior to the 2010 Regular
2976 Session and shall become effective only after legislative
2977 review. In its review, the Legislature may reject, modify, or
2978 take no action relative to such rules. The board of trustees
2979 shall conform such rules to changes made by the Legislature, or,
2980 if no action was taken by the Legislature, such rules shall
2981 become effective.

2982 ~~(20)-(21)~~ Lands listed as projects for acquisition under
2983 the Florida Forever program may be managed for conservation
2984 pursuant to s. 259.032, on an interim basis by a private party
2985 in anticipation of a state purchase in accordance with a
2986 contractual arrangement between the acquiring agency and the
2987 private party that may include management service contracts,
2988 leases, cost-share arrangements, or resource conservation
2989 agreements. Lands designated as eligible under this subsection
2990 shall be managed to maintain or enhance the resources the state
2991 is seeking to protect by acquiring the land and to accelerate
2992 public access to the lands as soon as practicable. Funding for
2993 these contractual arrangements may originate from the
2994 documentary stamp tax revenue deposited into the Land
2995 Acquisition Trust Fund ~~Conservation and Recreation Lands Trust~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

2996 ~~Fund and Water Management Lands Trust Fund.~~ No more than \$6.2
2997 million from the Land Acquisition Trust Fund ~~5 percent of funds~~
2998 ~~allocated under the trust funds~~ shall be expended for this
2999 purpose.

3000 Section 26. Subsections (1) and (3) of section 259.1051,
3001 Florida Statutes, are amended to read:

3002 259.1051 Florida Forever Trust Fund.—

3003 (1) There is created the Florida Forever Trust Fund to
3004 carry out the purposes of ss. 259.032, 259.105, 259.1052, and
3005 375.031. The Florida Forever Trust Fund shall be held and
3006 administered by the Department of Environmental Protection.

3007 Proceeds from the sale of bonds, except proceeds of refunding
3008 bonds, issued under s. 215.618 and payable from moneys
3009 transferred to the Land Acquisition Trust Fund under s.

3010 201.15(1) ~~201.15(1)(a)~~, not to exceed \$5.3 billion, must be
3011 deposited into this trust fund to be distributed and used as
3012 provided in s. 259.105(3). The bond resolution adopted by the
3013 governing board of the Division of Bond Finance of the State
3014 Board of Administration may provide for additional provisions
3015 that govern the disbursement of the bond proceeds.

3016 (3) The department ~~of Environmental Protection~~ shall
3017 ensure that the proceeds from the sale of bonds issued under s.
3018 215.618 and payable from moneys transferred to the Land
3019 Acquisition Trust Fund under s. 201.15(1) ~~201.15(1)(a)~~ shall be
3020 administered and expended in a manner that ensures compliance of
3021 each issue of bonds that are issued on the basis that interest

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3022 thereon will be excluded from gross income for federal income
3023 tax purposes, with the applicable provisions of the United
3024 States Internal Revenue Code and the regulations promulgated
3025 thereunder, to the extent necessary to preserve the exclusion of
3026 interest on the bonds from gross income for federal income tax
3027 purposes. The Department of Environmental Protection shall
3028 administer the use and disbursement of the proceeds of such
3029 bonds or require that the use and disbursement thereof be
3030 administered in a manner to implement strategies to maximize any
3031 available benefits under the applicable provisions of the United
3032 States Internal Revenue Code or regulations promulgated
3033 thereunder, to the extent not inconsistent with the purposes
3034 identified in s. 259.105(3).

3035 Section 27. Paragraph (a) of subsection (2) of section
3036 338.250, Florida Statutes, is amended to read:

3037 338.250 Central Florida Beltway Mitigation.—

3038 (2) Environmental mitigation required as a result of
3039 construction of the beltway, or portions thereof, shall be
3040 satisfied in the following manner:

3041 (a) For those projects which the Department of
3042 Transportation is authorized to construct, funds for
3043 environmental mitigation shall be deposited in the Central
3044 Florida Beltway Trust Fund created within the department at the
3045 time bonds for the specific project are sold. If a road building
3046 authority other than the department is authorized to construct
3047 the project, funds for environmental mitigation shall be

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3048 deposited in a mitigation fund account established in the
3049 construction fund for the bond issues. Said account shall be
3050 established at the time bond proceeds are deposited into the
3051 construction fund for the specific project. These funds shall be
3052 provided from bond proceeds, and the use of such funds from bond
3053 proceeds for mitigation shall be deemed a public purpose. The
3054 amount to be provided for mitigation for the Eastern Beltway in
3055 Seminole County shall be up to \$4 million, the amount to be
3056 provided for mitigation for the Western Beltway shall be up to
3057 \$30.5 million, the amount to be provided for mitigation for the
3058 Southern Connector shall be up to \$14.28 million, the amount to
3059 be provided for mitigation for the Turnpike/Southern Connector
3060 Interchange shall be up to \$1.46 million, and the amount to be
3061 provided for mitigation for the Southern Connector Extension
3062 shall be in proportion to the amount provided for the Southern
3063 Connector based upon the amount of wetlands displaced. To the
3064 extent allowed by law, the interest on said funds as earned,
3065 after deposit into the Central Florida Beltway Trust Fund, or in
3066 a mitigation fund account shall accrue and be paid to the agency
3067 responsible for the construction of the appropriate project.
3068 Where feasible, mitigation funds shall be used in coordination
3069 with funds ~~from the Conservation and Recreation Lands Trust~~
3070 ~~Fund, Save Our Rivers Land Acquisition Program, or~~ from other
3071 appropriate sources.

3072 Section 28. Subsection (4) of section 339.0801, Florida
3073 Statutes, is amended to read:

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3074 339.0801 Allocation of increased revenues derived from
3075 amendments to s. 319.32(5)(a) by ch. 2012-128.—Funds that result
3076 from increased revenues to the State Transportation Trust Fund
3077 derived from the amendments to s. 319.32(5)(a) made by this act
3078 must be used annually, first as set forth in subsection (1) and
3079 then as set forth in subsections (2)-(5), notwithstanding any
3080 other provision of law:

3081 (4) Beginning in the 2013-2014 fiscal year and annually
3082 thereafter, \$10 million shall be allocated to the Small County
3083 Outreach Program, to be used as specified in s. 339.2818. These
3084 funds are in addition to the funds provided in s. 201.15(5)(a)2.
3085 ~~201.15(1)(c)1.b.~~

3086 Section 29. Subsection (9) of section 339.55, Florida
3087 Statutes, is amended to read:

3088 339.55 State-funded infrastructure bank.—

3089 (9) Funds paid into the State Transportation Trust Fund
3090 pursuant to s. 201.15(5)(a) ~~201.15(1)(c)~~ for the purposes of the
3091 State Infrastructure Bank are hereby annually appropriated for
3092 expenditure to support that program.

3093 Section 30. Subsection (5) of section 341.303, Florida
3094 Statutes, is amended to read:

3095 341.303 Funding authorization and appropriations;
3096 eligibility and participation.—

3097 (5) FUND PARTICIPATION; FLORIDA RAIL ENTERPRISE.—

3098 (a) The department, through the Florida Rail Enterprise,
3099 is authorized to use funds provided under s. 201.15(5)(a)4.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3100 ~~201.15(1)(e)1.d.~~ to fund up to 50 percent of the nonfederal
3101 share of the costs of any eligible passenger rail capital
3102 improvement project.

3103 (b) The department, through the Florida Rail Enterprise,
3104 is authorized to use funds provided under s. 201.15(5)(a)4.
3105 ~~201.15(1)(e)1.d.~~ to fund up to 100 percent of planning and
3106 development costs related to the provision of a passenger rail
3107 system, including, but not limited to, preliminary engineering,
3108 revenue studies, environmental impact studies, financial
3109 advisory services, engineering design, and other appropriate
3110 professional services.

3111 (c) The department, through the Florida Rail Enterprise,
3112 is authorized to use funds provided under s. 201.15(5)(a)4.
3113 ~~201.15(1)(e)1.d.~~ to fund the high-speed rail system.

3114 (d) The department, through the Florida Rail Enterprise,
3115 is authorized to use funds provided under s. 201.15(5)(a)4.
3116 ~~201.15(1)(e)1.d.~~ to fund projects necessary to identify or
3117 address anticipated impacts of increased freight rail traffic
3118 resulting from the implementation of passenger rail systems as
3119 provided in s. 341.302(3)(b).

3120 Section 31. Paragraph (b) of subsection (4) of section
3121 343.58, Florida Statutes, is amended to read:

3122 343.58 County funding for the South Florida Regional
3123 Transportation Authority.—

3124 (4) Notwithstanding any other provision of law to the
3125 contrary and effective July 1, 2010, until as provided in

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3126 paragraph (d), the department shall transfer annually from the
3127 State Transportation Trust Fund to the South Florida Regional
3128 Transportation Authority the amounts specified in subparagraph
3129 (a)1. or subparagraph (a)2.

3130 (b) Funding required by this subsection may not be
3131 provided from the funds dedicated to the Florida Rail Enterprise
3132 under s. 201.15(5)(a)4 ~~201.15(1)(c)1.d.~~

3133 Section 32. Subsection (4) of section 369.252, Florida
3134 Statutes, is amended to read:

3135 369.252 Invasive plant control on public lands.—The Fish
3136 and Wildlife Conservation Commission shall establish a program
3137 to:

3138 (4) Use funds in the Invasive Plant Control Trust Fund as
3139 authorized by the Legislature for carrying out activities under
3140 this section on public lands. A minimum of 20 percent of the
3141 amount transferred from the Land Acquisition Trust Fund ~~credited~~
3142 ~~to the Invasive Plant Control Trust Fund pursuant to s.~~
3143 ~~201.15(6)~~ shall be used for the purpose of controlling
3144 nonnative, upland, invasive plant species on public lands.

3145 Section 33. Paragraph (c) of subsection (8) of section
3146 373.026, Florida Statutes, is amended to read:

3147 373.026 General powers and duties of the department.—The
3148 department, or its successor agency, shall be responsible for
3149 the administration of this chapter at the state level. However,
3150 it is the policy of the state that, to the greatest extent
3151 possible, the department may enter into interagency or

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3152 interlocal agreements with any other state agency, any water
3153 management district, or any local government conducting programs
3154 related to or materially affecting the water resources of the
3155 state. All such agreements shall be subject to the provisions of
3156 s. 373.046. In addition to its other powers and duties, the
3157 department shall, to the greatest extent possible:

3158 (8)

3159 (c) Notwithstanding paragraph (b), the use of state funds
3160 for land purchases from willing sellers is authorized for
3161 projects ~~within the South Florida Water Management District's~~
3162 ~~approved 5-year plan of acquisition pursuant to s. 373.59 or~~
3163 within the South Florida Water Management District's approved
3164 Florida Forever water management district work plan pursuant to
3165 s. 373.199.

3166 Section 34. Subsection (4) of section 373.089, Florida
3167 Statutes, is amended to read:

3168 373.089 Sale or exchange of lands, or interests or rights
3169 in lands.—The governing board of the district may sell lands, or
3170 interests or rights in lands, to which the district has acquired
3171 title or to which it may hereafter acquire title in the
3172 following manner:

3173 (4) The governing board of a district may exchange lands,
3174 or interests or rights in lands, owned by, or lands, or
3175 interests or rights in lands, for which title is otherwise
3176 vested in, the district for other lands, or interests or rights
3177 in lands, within the state owned by any person. The governing

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3178 board shall fix the terms and conditions of any such exchange
3179 and may pay or receive any sum of money that the board considers
3180 necessary to equalize the values of exchanged properties. Land,
3181 or interests or rights in land, acquired under s. 373.59,
3182 Florida Statutes 2014, may be exchanged only for lands, or
3183 interests or rights in lands, that otherwise meet the
3184 requirements of that section for acquisition.

3185 Section 35. Paragraph (a) of subsection (5) of section
3186 373.129, Florida Statutes, is amended to read:

3187 373.129 Maintenance of actions.—The department, the
3188 governing board of any water management district, any local
3189 board, or a local government to which authority has been
3190 delegated pursuant to s. 373.103(8), is authorized to commence
3191 and maintain proper and necessary actions and proceedings in any
3192 court of competent jurisdiction for any of the following
3193 purposes:

3194 (5) To recover a civil penalty for each offense in an
3195 amount not to exceed \$10,000 per offense. Each date during which
3196 such violation occurs constitutes a separate offense.

3197 (a) A civil penalty recovered pursuant to this subsection
3198 shall be retained by the water management district where the
3199 violation occurred ~~deposited in the Water Management Lands Trust~~
3200 ~~Fund established under s. 373.59~~ and used exclusively within
3201 that ~~by the water management district that deposits the money~~
3202 ~~into the fund. Any such civil penalty recovered after the~~
3203 ~~expiration of such fund shall be deposited in the Ecosystem~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3204 ~~Management and Restoration Trust Fund and used exclusively~~
3205 ~~within the water management district that deposits the money~~
3206 ~~into the fund.~~

3207 Section 36. Subsection (5) of section 373.1391, Florida
3208 Statutes, is amended to read:

3209 373.1391 Management of real property.—

3210 (5) The following additional uses of lands acquired
3211 pursuant to the Florida Forever program and other state-funded
3212 land purchase programs shall be authorized, upon a finding by
3213 the governing board, if they meet the criteria specified in
3214 paragraphs (a)-(e): water resource development projects, water
3215 supply development projects, stormwater management projects,
3216 linear facilities, and sustainable agriculture and forestry.
3217 Such additional uses are authorized where:

3218 (a) Not inconsistent with the management plan for such
3219 lands. ~~†~~

3220 (b) Compatible with the natural ecosystem and resource
3221 values of such lands. ~~†~~

3222 (c) The proposed use is appropriately located on such
3223 lands and where due consideration is given to the use of other
3224 available lands. ~~†~~

3225 (d) The using entity reasonably compensates the
3226 titleholder for such use based upon an appropriate measure of
3227 value. ~~† and~~

3228 (e) The use is consistent with the public interest.

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272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3230 A decision by the governing board pursuant to this subsection
3231 shall be given a presumption of correctness. Moneys received
3232 from the use of state lands pursuant to this subsection shall be
3233 returned to the lead managing agency ~~in accordance with the~~
3234 ~~provisions of s. 373.59.~~

3235 Section 37. Paragraph (i) of subsection (4) and paragraph
3236 (c) of subsection (7) of section 373.199, Florida Statutes, are
3237 amended to read:

3238 373.199 Florida Forever Water Management District Work
3239 Plan.—

3240 (4) The list submitted by the districts shall include,
3241 where applicable, the following information for each project:

3242 (i) Numeric performance measures for each project. Each
3243 performance measure shall include a baseline measurement, which
3244 is the current situation; a performance standard, which water
3245 management district staff anticipates the project will achieve;
3246 and the performance measurement itself, which should reflect the
3247 incremental improvements the project accomplishes towards
3248 achieving the performance standard. These measures shall reflect
3249 the relevant goals detailed in s. 259.105(4), Florida Statutes
3250 2014.

3251 (7) By June 1, 2001, each district shall file with the
3252 President of the Senate, the Speaker of the House of
3253 Representatives, and the Secretary of Environmental Protection
3254 the initial 5-year work plan as required under subsection (2).
3255 By March 1 of each year thereafter, as part of the consolidated

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3256 annual report required by s. 373.036(7), each district shall
3257 report on acquisitions completed during the year together with
3258 modifications or additions to its 5-year work plan. Included in
3259 the report shall be:

3260 (c) The progress of funding, staffing, and resource
3261 management of every project funded pursuant to s. 259.101(3),
3262 Florida Statutes 2014 259.101, s. 259.105, or s. 373.59(1),
3263 Florida Statutes 2014, 373.59 for which the district is
3264 responsible.

3265

3266 The secretary shall submit the report referenced in this
3267 subsection to the Board of Trustees of the Internal Improvement
3268 Trust Fund together with the Acquisition and Restoration
3269 Council's project list as required under s. 259.105.

3270 Section 38. Subsection (7) of section 373.430, Florida
3271 Statutes, is amended to read:

3272 373.430 Prohibitions, violation, penalty, intent.—

3273 (7) All moneys recovered under the provisions of this
3274 section shall be allocated to the use of the water management
3275 district, the department, or the local government, whichever
3276 undertook and maintained the enforcement action. All monetary
3277 penalties and damages recovered by the department or the state
3278 under the provisions of this section shall be deposited into ~~in~~
3279 the Water Quality Assurance Ecosystem Management and Restoration
3280 Trust Fund. All monetary penalties and damages recovered
3281 pursuant to this section by a water management district shall be

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3282 ~~retained deposited in the Water Management Lands Trust Fund~~
3283 ~~established under s. 373.59 and used exclusively within the~~
3284 ~~territory of the water management district that collected which~~
3285 ~~deposits the money into the fund. Any such monetary penalties~~
3286 ~~and damages recovered after the expiration of such fund shall be~~
3287 ~~deposited in the Ecosystem Management and Restoration Trust Fund~~
3288 ~~and used exclusively within the territory of the water~~
3289 ~~management district which deposits the money into the fund. All~~
3290 monetary penalties and damages recovered pursuant to this
3291 subsection by a local government to which authority has been
3292 delegated pursuant to s. 373.103(8) shall be used to enhance
3293 surface water improvement or pollution control activities.

3294 Section 39. Subsections (3) through (6) of section
3295 373.459, Florida Statutes, are amended to read:

3296 373.459 Funds for surface water improvement and
3297 management.—

3298 (3) ~~The Ecosystem Management and Restoration Trust Fund~~
3299 ~~shall be used for the deposit of funds appropriated by the~~
3300 ~~Legislature for the purposes of ss. 373.451-373.4595. The~~
3301 ~~department shall administer all funds appropriated to or~~
3302 ~~received for surface water improvement and management~~
3303 ~~activities. Expenditure of the moneys shall be limited to the~~
3304 ~~costs of detailed planning and plan and program implementation~~
3305 ~~for priority surface water bodies. Moneys may ~~from the fund~~~~
3306 ~~shall~~ not be expended for planning for, or construction or

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3307 expansion of, treatment facilities for domestic or industrial
3308 waste disposal.

3309 (4) The department shall authorize the release of money
3310 ~~from the fund~~ in accordance with the provisions of s. 373.501(2)
3311 ~~and procedures in s. 373.59(4) and (5).~~

3312 ~~(5) Moneys in the fund which are not needed to meet~~
3313 ~~current obligations incurred under this section shall be~~
3314 ~~transferred to the State Board of Administration, to the credit~~
3315 ~~of the trust fund, to be invested in the manner provided by law.~~
3316 ~~Interest received on such investments shall be credited to the~~
3317 ~~trust fund.~~

3318 (5)~~(6)~~ The match requirement of subsection (2) shall not
3319 apply to the Suwannee River Water Management District, the
3320 Northwest Florida Water Management District, or a financially
3321 disadvantaged small local government as defined in former s.
3322 403.885(3).

3323 Section 40. Paragraph (a) of subsection (3) of section
3324 373.4592, Florida Statutes, is amended to read:

3325 373.4592 Everglades improvement and management.—

3326 (3) EVERGLADES LONG-TERM PLAN.—

3327 (a) The Legislature finds that the Everglades Program
3328 required by this section establishes more extensive and
3329 comprehensive requirements for surface water improvement and
3330 management within the Everglades than the SWIM plan requirements
3331 provided in ss. 373.451 and 373.453. In order to avoid
3332 duplicative requirements, and in order to conserve the resources

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3333 available to the district, the SWIM plan requirements of those
3334 sections shall not apply to the Everglades Protection Area and
3335 the EAA during the term of the Everglades Program, and the
3336 district will neither propose, nor take final agency action on,
3337 any Everglades SWIM plan for those areas until the Everglades
3338 Program is fully implemented. Funds identified under s.
3339 259.101(3)(b), Florida Statutes 2014, may be used for
3340 acquisition of lands necessary to implement the Everglades
3341 Construction Project, to the extent these funds are identified
3342 in the Statement of Principles of July 1993. The district's
3343 actions in implementing the Everglades Construction Project
3344 relating to the responsibilities of the EAA and C-139 Basin for
3345 funding and water quality compliance in the EAA and the
3346 Everglades Protection Area shall be governed by this section.
3347 Other strategies or activities in the March 1992 Everglades SWIM
3348 plan may be implemented if otherwise authorized by law.

3349 Section 41. Paragraphs (g) through (j) of subsection (4)
3350 of section 373.45926, Florida Statutes, are amended to read:

3351 373.45926 Everglades Trust Fund; allocation of revenues
3352 and expenditure of funds for conservation and protection of
3353 natural resources and abatement of water pollution.—

3354 (4) The following funds shall be deposited into the
3355 Everglades Trust Fund specifically for the implementation of the
3356 Everglades Forever Act.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3357 ~~(g) Preservation 2000 funds for acquisition of lands~~
3358 ~~necessary for implementation of the Everglades Forever Act as~~
3359 ~~prescribed in an annual appropriation.~~

3360 (g)~~(h)~~ Any additional funds specifically appropriated by
3361 the Legislature for this purpose.

3362 (h)~~(i)~~ Gifts designated for implementation of the
3363 Everglades Forever Act from individuals, corporations, and other
3364 entities.

3365 (i)~~(j)~~ Any additional funds that become available for this
3366 purpose from any other source.

3367 Section 42. Paragraph (a) of subsection (6) of section
3368 373.470, Florida Statutes, is amended to read:

3369 373.470 Everglades restoration.—

3370 (6) DISTRIBUTIONS FROM SAVE OUR EVERGLADES TRUST FUND.—

3371 (a) Except as provided in paragraphs (d) and (e) and for
3372 funds appropriated for debt service, the department shall
3373 distribute funds in the Save Our Everglades Trust Fund to the
3374 district in accordance with a legislative appropriation and s.
3375 373.026(8) (b) ~~and (e)~~. Distribution of funds to the district
3376 from the Save Our Everglades Trust Fund shall be equally matched
3377 by the cumulative contributions from the district by fiscal year
3378 2019-2020 by providing funding or credits toward project
3379 components. The dollar value of in-kind project design and
3380 construction work by the district in furtherance of the
3381 comprehensive plan and existing interest in public lands needed

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3382 for a project component are credits towards the district's
3383 contributions.

3384 Section 43. Subsection (2) of section 373.584, Florida
3385 Statutes, is amended to read:

3386 373.584 Revenue bonds.—

3387 (2) Revenues derived by the district ~~from the Water~~
3388 ~~Management Lands Trust Fund as provided in s. 373.59 or any~~
3389 ~~other revenues of the district~~ may be pledged to the payment of
3390 such revenue bonds; however, the ad valorem taxing powers of the
3391 district may not be pledged to the payment of such revenue bonds
3392 without prior compliance with the requirements of the State
3393 Constitution as to the affirmative vote of the electors of the
3394 district and with the requirements of s. 373.563, ~~and bonds~~
3395 ~~payable from the Water Management Lands Trust Fund shall be~~
3396 ~~issued solely for the purposes set forth in s. 373.59.~~ Revenue
3397 bonds and notes shall be, and shall be deemed to be, for all
3398 purposes, negotiable instruments, subject only to the provisions
3399 of the revenue bonds and notes for registration. The powers and
3400 authority of districts to issue revenue bonds, including, but
3401 not limited to, bonds to finance a stormwater management system
3402 as defined by s. 373.403, and to enter into contracts incidental
3403 thereto, and to do all things necessary and desirable in
3404 connection with the issuance of revenue bonds, shall be
3405 coextensive with the powers and authority of municipalities to
3406 issue bonds under state law. The provisions of this section
3407 constitute full and complete authority for the issuance of

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3408 revenue bonds and shall be liberally construed to effectuate its
3409 purpose.

3410 Section 44. Section 373.59, Florida Statutes, is amended
3411 to read:

3412 373.59 Payment in lieu of taxes for lands acquired for
3413 water management district purposes ~~Water Management Lands Trust~~
3414 ~~Fund.~~—

3415 ~~(1) There is established within the Department of~~
3416 ~~Environmental Protection the Water Management Lands Trust Fund~~
3417 ~~to be used as a nonlapsing fund for the purposes of this~~
3418 ~~section. The moneys in this fund are hereby continually~~
3419 ~~appropriated for the purposes of land acquisition, management,~~
3420 ~~maintenance, capital improvements of land titled to the~~
3421 ~~districts, payments in lieu of taxes, debt service on bonds~~
3422 ~~issued prior to July 1, 1999, debt service on bonds issued on or~~
3423 ~~after July 1, 1999, which are issued to refund bonds issued~~
3424 ~~before July 1, 1999, preacquisition costs associated with land~~
3425 ~~purchases, and the department's costs of administration of the~~
3426 ~~fund. No refunding bonds may be issued which mature after the~~
3427 ~~final maturity date of the bonds being refunded or which provide~~
3428 ~~for higher debt service in any year than is payable on such~~
3429 ~~bonds as of February 1, 2009. The department's costs of~~
3430 ~~administration shall be charged proportionally against each~~
3431 ~~district's allocation using the formula provided in subsection~~
3432 ~~(8). Capital improvements shall include, but need not be limited~~
3433 ~~to, perimeter fencing, signs, firelanes, control of invasive~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3434 ~~exotic species, controlled burning, habitat inventory and~~
3435 ~~restoration, law enforcement, access roads and trails, and~~
3436 ~~minimal public accommodations, such as primitive campsites,~~
3437 ~~garbage receptacles, and toilets. The moneys in the fund may~~
3438 ~~also be appropriated to supplement operational expenditures at~~
3439 ~~the Northwest Florida Water Management District and the Suwannee~~
3440 ~~River Water Management District, with such appropriations~~
3441 ~~allocated prior to the allocations set out in subsection (8) to~~
3442 ~~the five water management districts.~~

3443 ~~(2) Until the Preservation 2000 Program is concluded, each~~
3444 ~~district shall file with the Legislature and the Secretary of~~
3445 ~~Environmental Protection a report of acquisition activity, by~~
3446 ~~January 15 of each year, together with modifications or~~
3447 ~~additions to its 5-year plan of acquisition. Included in the~~
3448 ~~report shall be an identification of those lands which require a~~
3449 ~~full fee simple interest to achieve water management goals and~~
3450 ~~those lands which can be acquired using alternatives to fee~~
3451 ~~simple acquisition techniques and still achieve such goals. In~~
3452 ~~their evaluation of which lands would be appropriate for~~
3453 ~~acquisition through alternatives to fee simple, district staff~~
3454 ~~shall consider criteria including, but not limited to,~~
3455 ~~acquisition costs, the net present value of future land~~
3456 ~~management costs, the net present value of ad valorem revenue~~
3457 ~~loss to the local government, and the potential for revenue~~
3458 ~~generated from activities compatible with acquisition~~
3459 ~~objectives. The report shall also include a description of land~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3460 ~~management activity. However, no acquisition of lands shall~~
3461 ~~occur without a public hearing similar to those held pursuant to~~
3462 ~~the provisions set forth in s. 120.54. In the annual update of~~
3463 ~~its 5-year plan for acquisition, each district shall identify~~
3464 ~~lands needed to protect or recharge groundwater and shall~~
3465 ~~establish a plan for their acquisition as necessary to protect~~
3466 ~~potable water supplies. Lands which serve to protect or recharge~~
3467 ~~groundwater identified pursuant to this paragraph shall also~~
3468 ~~serve to protect other valuable natural resources or provide~~
3469 ~~space for natural resource based recreation. Once all~~
3470 ~~Preservation 2000 funds allocated to the water management~~
3471 ~~districts have been expended or committed, this subsection shall~~
3472 ~~be repealed.~~

3473 ~~(3) Each district shall remove the property of an~~
3474 ~~unwilling seller from its plan of acquisition at the next~~
3475 ~~scheduled update of the plan, if in receipt of a request to do~~
3476 ~~so by the property owner. This subsection shall be repealed at~~
3477 ~~the conclusion of the Preservation 2000 program.~~

3478 ~~(4) The Secretary of Environmental Protection shall~~
3479 ~~release moneys from the Water Management Lands Trust Fund to a~~
3480 ~~district for preacquisition costs within 30 days after receipt~~
3481 ~~of a resolution adopted by the district's governing board which~~
3482 ~~identifies and justifies any such preacquisition costs necessary~~
3483 ~~for the purchase of any lands listed in the district's 5-year~~
3484 ~~plan. The district shall return to the department any funds not~~
3485 ~~used for the purposes stated in the resolution, and the~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3486 ~~department shall deposit the unused funds into the Water~~
3487 ~~Management Lands Trust Fund.~~

3488 ~~(5) The Secretary of Environmental Protection shall~~
3489 ~~release to the districts moneys for management, maintenance, and~~
3490 ~~capital improvements following receipt of a resolution and~~
3491 ~~request adopted by the governing board which specifies the~~
3492 ~~designated managing agency, specific management activities,~~
3493 ~~public use, estimated annual operating costs, and other~~
3494 ~~acceptable documentation to justify release of moneys.~~

3495 ~~(6) If a district issues revenue bonds or notes under s.~~
3496 ~~373.584 prior to July 1, 1999, the district may pledge its share~~
3497 ~~of the moneys in the Water Management Lands Trust Fund as~~
3498 ~~security for such bonds or notes. The Department of~~
3499 ~~Environmental Protection shall pay moneys from the trust fund to~~
3500 ~~a district or its designee sufficient to pay the debt service,~~
3501 ~~as it becomes due, on the outstanding bonds and notes of the~~
3502 ~~district; however, such payments shall not exceed the district's~~
3503 ~~cumulative portion of the trust fund. However, any moneys~~
3504 ~~remaining after payment of the amount due on the debt service~~
3505 ~~shall be released to the district pursuant to subsection (5).~~

3506 ~~(7) Any unused portion of a district's share of the fund~~
3507 ~~shall accumulate in the trust fund to the credit of that~~
3508 ~~district. Interest earned on such portion shall also accumulate~~
3509 ~~to the credit of that district to be used for management,~~
3510 ~~maintenance, and capital improvements as provided in this~~
3511 ~~section. The total moneys over the life of the fund available to~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3512 ~~any district under this section shall not be reduced except by~~
3513 ~~resolution of the district governing board stating that the need~~
3514 ~~for the moneys no longer exists. Any water management district~~
3515 ~~with fund balances in the Water Management Lands Trust Fund as~~
3516 ~~of March 1, 1999, may expend those funds for land acquisitions~~
3517 ~~pursuant to s. 373.139, or for the purpose specified in this~~
3518 ~~subsection.~~

3519 ~~(8) Moneys from the Water Management Lands Trust Fund~~
3520 ~~shall be allocated as follows:~~

3521 ~~(a) Beginning with the 2009-2010 fiscal year, thirty~~
3522 ~~percent shall be used first to pay debt service on bonds issued~~
3523 ~~before February 1, 2009, by the South Florida Water Management~~
3524 ~~District which are secured by revenues provided by this section~~
3525 ~~or to fund debt service reserve funds, rebate obligations, or~~
3526 ~~other amounts payable with respect to such bonds, then to~~
3527 ~~transfer \$3,000,000 to the credit of the General Revenue Fund in~~
3528 ~~each fiscal year, and lastly to distribute the remainder to the~~
3529 ~~South Florida Water Management District.~~

3530 ~~(b) Beginning with the 2009-2010 fiscal year, twenty five~~
3531 ~~percent shall be used first to transfer \$2,500,000 to the credit~~
3532 ~~of the General Revenue Fund in each fiscal year and then to~~
3533 ~~distribute the remainder to the Southwest Florida Water~~
3534 ~~Management District.~~

3535 ~~(c) Beginning with the 2009-2010 fiscal year, twenty five~~
3536 ~~percent shall be used first to pay debt service on bonds issued~~
3537 ~~before February 1, 2009, by the St. Johns River Water Management~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3538 ~~District which are secured by revenues provided by this section~~
3539 ~~or to fund debt service reserve funds, rebate obligations, or~~
3540 ~~other amounts payable with respect to such bonds, then to~~
3541 ~~transfer \$2,500,000 to the credit of the General Revenue Fund in~~
3542 ~~each fiscal year, and to distribute the remainder to the St.~~
3543 ~~Johns River Water Management District.~~

3544 ~~(d) Ten percent to the Suwannee River Water Management~~
3545 ~~District.~~

3546 ~~(e) Ten percent to the Northwest Florida Water Management~~
3547 ~~District.~~

3548 ~~(9) Moneys in the fund not needed to meet current~~
3549 ~~obligations incurred under this section shall be transferred to~~
3550 ~~the State Board of Administration, to the credit of the fund, to~~
3551 ~~be invested in the manner provided by law. Interest received on~~
3552 ~~such investments shall be credited to the fund.~~

3553 ~~(1)(10)(a) Beginning July 1, 1999, funds not more than~~
3554 ~~one-fourth of the funds provided for in subsections (1) and (8)~~
3555 ~~in any year shall be reserved annually by a governing board,~~
3556 ~~during the development of its annual operating budget, for~~
3557 ~~payments in lieu of taxes for all actual ad valorem tax losses~~
3558 ~~incurred as a result of all governing board acquisitions for~~
3559 ~~water management district purposes. Reserved funds not used for~~
3560 ~~payments in lieu of taxes in any year shall revert to the Water~~
3561 ~~Management Lands Trust Fund to be used in accordance with the~~
3562 ~~provisions of this section.~~

3563 ~~(2)(b) Payment in lieu of taxes shall be available:~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3564 (a)1. To all counties that have a population of 150,000 or
3565 fewer. Population levels shall be determined pursuant to s.
3566 186.901. The population estimates published April 1 and used in
3567 the revenue-sharing formula pursuant to s. 186.901 shall be used
3568 to determine eligibility under this subsection and shall apply
3569 to payments made for the subsequent fiscal year.

3570 (b)2. To all local governments located in eligible
3571 counties and whose lands are bought and taken off the tax rolls.

3572
3573 For properties acquired after January 1, 2000, in the event that
3574 such properties otherwise eligible for payment in lieu of taxes
3575 under this subsection are leased or reserved and remain subject
3576 to ad valorem taxes, payments in lieu of taxes shall commence or
3577 recommence upon the expiration or termination of the lease or
3578 reservation. If the lease is terminated for only a portion of
3579 the lands at any time, the annual payments shall be made for
3580 that portion only commencing the year after such termination,
3581 without limiting the requirement that annual payments shall be
3582 made on the remaining portion or portions of the land as the
3583 lease on each expires. For the purposes of this subsection,
3584 "local government" includes municipalities and the county school
3585 board.

3586 (3)(e) If sufficient funds are unavailable in any year to
3587 make full payments to all qualifying counties and local
3588 governments, such counties and local governments shall receive a
3589 pro rata share of the moneys available.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3590 (4)~~(d)~~ The payment amount shall be based on the average
3591 amount of actual ad valorem taxes paid on the property for the 3
3592 years preceding acquisition. Applications for payment in lieu of
3593 taxes shall be made no later than May 31 of the year for which
3594 payment is sought. No payment in lieu of taxes shall be made for
3595 properties which were exempt from ad valorem taxation for the
3596 year immediately preceding acquisition.

3597 (5)~~(e)~~ If property that was subject to ad valorem taxation
3598 was acquired by a tax-exempt entity for ultimate conveyance to
3599 the state under this chapter, payment in lieu of taxes shall be
3600 made for such property based upon the average amount of ad
3601 valorem taxes paid on the property for the 3 years prior to its
3602 being removed from the tax rolls. The water management districts
3603 shall certify to the Department of Revenue those properties that
3604 may be eligible under this provision. Once eligibility has been
3605 established, that governmental entity shall receive annual
3606 payments for each tax loss until the qualifying governmental
3607 entity exceeds the population threshold pursuant to subsection
3608 (2) ~~paragraph (b)~~.

3609 (6)~~(f)~~ Payment in lieu of taxes pursuant to this
3610 subsection shall be made annually to qualifying counties and
3611 local governments after certification by the Department of
3612 Revenue that the amounts applied for are reasonably appropriate,
3613 based on the amount of actual ad valorem taxes paid on the
3614 eligible property, and after the water management districts have
3615 provided supporting documents to the Chief Financial Officer and

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3616 have requested that payment be made in accordance with the
3617 requirements of this section. With the assistance of the local
3618 government requesting payment in lieu of taxes, the water
3619 management district that acquired the land is responsible for
3620 preparing and submitting application requests for payment to the
3621 Department of Revenue for certification.

3622 (7) If a water management district has made a payment in
3623 lieu of taxes to a governmental entity and subsequently
3624 suspended payment, beginning July 1, 2009, the water management
3625 district shall reinstate appropriate payments and continue the
3626 payments for as long as the county population remains below the
3627 population threshold pursuant to paragraph (2) (a). This
3628 subsection does not authorize or provide for payments in
3629 arrears.

3630 (8) (g) If a water management district conveys to a county
3631 or local government title to any land owned by the district, any
3632 payments in lieu of taxes on the land made to the county or
3633 local government shall be discontinued as of the date of the
3634 conveyance.

3635 ~~(11) Notwithstanding any provision of this section to the~~
3636 ~~contrary, the governing board of a water management district may~~
3637 ~~request, and the Secretary of Environmental Protection shall~~
3638 ~~release upon such request, moneys allocated to the districts~~
3639 ~~pursuant to subsection (8) for purposes consistent with the~~
3640 ~~provisions of s. 373.709, s. 373.705, s. 373.139, or ss.~~
3641 ~~373.451-373.4595 and for legislatively authorized land~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3642 ~~acquisition and water restoration initiatives. No funds may be~~
3643 ~~used pursuant to this subsection until necessary debt service~~
3644 ~~obligations, requirements for payments in lieu of taxes, and~~
3645 ~~land management obligations that may be required by this chapter~~
3646 ~~are provided for.~~

3647 ~~(12) Notwithstanding subsection (8), and for the 2014-2015~~
3648 ~~fiscal year only, the moneys from the Water Management Lands~~
3649 ~~Trust Fund are allocated as follows:~~

3650 ~~(a) An amount necessary to pay debt service on bonds~~
3651 ~~issued before February 1, 2009, by the South Florida Water~~
3652 ~~Management District and the St. Johns River Water Management~~
3653 ~~District, which are secured by revenues provided pursuant to~~
3654 ~~this section, or to fund debt service reserve funds, rebate~~
3655 ~~obligations, or other amounts payable with respect to such~~
3656 ~~bonds.~~

3657 ~~(b) Eight million dollars to be transferred to the General~~
3658 ~~Revenue Fund.~~

3659 ~~(c) Seven million seven hundred thousand dollars to be~~
3660 ~~transferred to the Save Our Everglades Trust Fund to support~~
3661 ~~Everglades restoration projects included in the final report of~~
3662 ~~the Select Committee on Indian River Lagoon and Lake Okeechobee~~
3663 ~~Basin, dated November 8, 2013.~~

3664 ~~(d) Any remaining funds to be provided in accordance with~~
3665 ~~the General Appropriations Act.~~

3666

3667 ~~This subsection expires July 1, 2015.~~

272503

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Amendment No.

3668 Section 45. Subsection (8) of section 373.703, Florida
3669 Statutes, is amended to read:

3670 373.703 Water production; general powers and duties.—In
3671 the performance of, and in conjunction with, its other powers
3672 and duties, the governing board of a water management district
3673 existing pursuant to this chapter:

3674 (8) In addition to the power to issue revenue bonds
3675 pursuant to s. 373.584, may issue revenue bonds for the purposes
3676 of paying the costs and expenses incurred in carrying out the
3677 purposes of this chapter or refunding obligations of the
3678 district issued pursuant to this section. Such revenue bonds
3679 shall be secured by, and be payable from, revenues derived from
3680 the operation, lease, or use of its water production and
3681 transmission facilities and other water-related facilities and
3682 from the sale of water or services relating thereto. Such
3683 revenue bonds may not be secured by, or be payable from, ~~moneys~~
3684 ~~derived by the district from the Water Management Lands Trust~~
3685 ~~Fund or from~~ ad valorem taxes received by the district or from
3686 moneys appropriated by the Legislature, unless otherwise
3687 specifically authorized by the Legislature. All provisions of s.
3688 373.584 relating to the issuance of revenue bonds which are not
3689 inconsistent with this section shall apply to the issuance of
3690 revenue bonds pursuant to this section. The district may also
3691 issue bond anticipation notes in accordance with the provisions
3692 of s. 373.584.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3693 Section 46. Subsection (8) of section 375.031, Florida
3694 Statutes, is amended to read:

3695 375.031 Acquisition of land; procedures.—

3696 (8) The department may, if it deems it desirable and in
3697 the best interest of the program, request the board of trustees
3698 to sell or otherwise dispose of any lands or water storage areas
3699 acquired under this act. The board of trustees, when so
3700 requested, shall offer the lands or water storage areas, on such
3701 terms as the department may determine, first to other state
3702 agencies and then, if still available, to the county or
3703 municipality in which the lands or water storage areas lie. If
3704 not acquired by another state agency or local governmental body
3705 for beneficial public purposes, the lands or water storage areas
3706 shall then be offered by the board of trustees at public sale,
3707 after first giving notice of such sale by publication in a
3708 newspaper published in the county or counties in which such
3709 lands or water storage areas lie not less than once a week for 3
3710 consecutive weeks. All proceeds from the sale or disposition of
3711 any lands or water storage areas pursuant to this section shall
3712 be deposited into ~~in~~ the appropriate trust fund pursuant to s.
3713 253.034(6)(k), (l), or (m) Land Acquisition Trust Fund.

3714 Section 47. Section 375.041, Florida Statutes, is amended
3715 to read:

3716 375.041 Land Acquisition Trust Fund.—

3717 (1) There is created a Land Acquisition Trust Fund within
3718 the Department of Environmental Protection to implement the

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3719 provisions prescribed in s. 28, Art. X of the State Constitution
3720 ~~facillitate and expedite the acquisition of land, water areas,~~
3721 ~~and related resources required to accomplish the purposes of~~
3722 ~~this act.~~ The Land Acquisition Trust Fund shall be held and
3723 administered by the department. The Land Acquisition Trust Fund
3724 shall continue for as long as bonds are outstanding pursuant to
3725 s. 215.618 or s. 215.619, or any bonds secured on a parity basis
3726 with such bonds, or until the requirements of s. 28, Art. X of
3727 the State Constitution expire, whichever is later. ~~All moneys~~
3728 ~~and revenue from the operation, management, sale, lease, or~~
3729 ~~other disposition of land, water areas, related resources, and~~
3730 ~~the facilities thereon acquired or constructed under this act~~
3731 ~~shall be deposited in or credited to the Land Acquisition Trust~~
3732 ~~Fund. Moneys accruing to any agency for the purposes enumerated~~
3733 ~~in this act may be deposited in this fund. There shall also be~~
3734 ~~deposited into the Land Acquisition Trust Fund other moneys as~~
3735 ~~authorized by appropriate act of the Legislature.~~ All moneys so
3736 deposited into the Land Acquisition Trust Fund shall be trust
3737 funds for the uses and purposes herein set forth, within the
3738 meaning of s. 215.32(1)(b); and such moneys shall not become or
3739 be commingled with the General Revenue Fund of the state, as
3740 defined by s. 215.32(1)(a).

3741 (2) Revenue from the sale or other disposition of land
3742 shall be deposited into the appropriate trust fund pursuant to
3743 s. 253.034(6)(k), (l), or (m). All moneys and revenue from the
3744 operation, management, or lease of land, water areas, related

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3745 resources, and the facilities thereon acquired or constructed
3746 under this chapter and chapter 380 shall be deposited into or
3747 credited to the Internal Improvement Trust Fund.

3748 (3) Moneys from the Land Acquisition Trust Fund shall be
3749 allocated as follows:

3750 (a) The amounts necessary to pay debt service or to fund
3751 debt service reserve funds, rebate obligations, or other amounts
3752 payable with respect to Florida Forever bonds issued under s.
3753 215.618, and Everglades restoration bonds issued under s.
3754 215.619, shall first be applied as provided in s. 201.15(3) (a)
3755 and (b).

3756 (b) The amount necessary to pay debt service on bonds
3757 issued before February 1, 2009, by the South Florida Water
3758 Management District and the St. Johns River Water Management
3759 District, which are secured by revenues provided pursuant to s.
3760 373.59, Florida Statutes 2014, or necessary to fund debt service
3761 reserve funds, rebate obligations, or other amounts payable with
3762 respect to such bonds. This paragraph expires July 1, 2016.

3763 (c) Thirty-two million dollars to be distributed to the
3764 South Florida Water Management District for the Long-Term Plan
3765 as defined in s. 373.4592(2). This paragraph expires July 1,
3766 2024.

3767 (d) Any remaining funds to be provided in accordance with
3768 the General Appropriations Act.

3769 (4) Moneys accruing to other agencies for the purposes
3770 designated in subsection (1) shall be transferred pursuant to

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3771 nonoperating budget authority under s. 216.181(12). Agencies
3772 must maintain the integrity of such moneys being transferred.
3773 Any transferred moneys available from reversions or reductions
3774 of budget authority in the other agencies shall be transferred
3775 back to the Land Acquisition Trust Fund in the Department of
3776 Environmental Protection within 15 days after such reversion or
3777 reduction and be available for future appropriation pursuant to
3778 s. 28, Art. X of the State Constitution.

3779 ~~(2) The moneys on deposit in the Land Acquisition Trust~~
3780 ~~Fund shall be first applied to pay the rentals due under lease-~~
3781 ~~purchase agreements or to meet debt service requirements of~~
3782 ~~revenue bonds issued pursuant to s. 375.051; provided, however,~~
3783 ~~that debt service on Save Our Coast bonds shall not be paid from~~
3784 ~~moneys transferred to the Land Acquisition Trust Fund pursuant~~
3785 ~~to s. 259.032(2)(b).~~

3786 ~~(3)(a) Any moneys in the Land Acquisition Trust Fund which~~
3787 ~~are not pledged for rentals or debt service as provided in~~
3788 ~~subsection (2) may be expended from time to time to acquire~~
3789 ~~land, water areas, and related resources and to construct,~~
3790 ~~improve, enlarge, extend, operate, and maintain capital~~
3791 ~~improvements and facilities in accordance with the plan.~~

3792 ~~(b) In addition to the uses allowed under paragraph (a),~~
3793 ~~for the 2014-2015 fiscal year, moneys in the Land Acquisition~~
3794 ~~Trust Fund may be transferred to support the Total Maximum Daily~~
3795 ~~Loads Program as provided in the General Appropriations Act.~~
3796 ~~This paragraph expires July 1, 2015.~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3797 ~~(c) For the 2014-2015 fiscal year only, moneys in the Land~~
3798 ~~Acquisition Trust Fund may be transferred to the Save Our~~
3799 ~~Everglades Trust Fund to support Everglades restoration projects~~
3800 ~~included in the final report of the Select Committee on Indian~~
3801 ~~River Lagoon and Lake Okeechobee Basin, dated November 8, 2013,~~
3802 ~~and to the Florida Forever Trust Fund for the Florida Forever~~
3803 ~~program pursuant to nonoperating budget authority under s.~~
3804 ~~216.181(12). This paragraph expires July 1, 2015.~~

3805 ~~(4) The department may disburse moneys in the Land~~
3806 ~~Acquisition Trust Fund to pay all necessary expenses to carry~~
3807 ~~out the purposes of this act. The department shall disburse~~
3808 ~~moneys from the Land Acquisition Trust Fund to the Fish and~~
3809 ~~Wildlife Conservation Commission for the purpose of funding law~~
3810 ~~enforcement services on state lands.~~

3811 (5) When the Legislature has authorized the Department of
3812 Environmental Protection to condemn a specific parcel of land
3813 and such parcel already has been approved for acquisition
3814 through the fund, the land may be acquired in accordance with
3815 the provisions of chapter 73 or chapter 74, and the fund may be
3816 used to pay the condemnation award and all costs, including a
3817 reasonable attorney fees ~~attorney's fee~~, associated with
3818 condemnation.

3819 Section 48. Subsection (2) of section 375.044, Florida
3820 Statutes, is amended to read:

3821 375.044 Land Acquisition Trust Fund budget request.-

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3822 (2) The legislative budget request shall be submitted to
3823 the Executive Office of the Governor and the Legislature in
3824 conjunction with the provisions of ss. 216.023, 216.031, and
3825 216.043. The 10-year request shall include, but shall not be
3826 limited to:

3827 (a) A 10-year annual cash-flow analysis of the Land
3828 Acquisition Trust Fund.

3829 ~~(b) The requested schedule of the agency for issuance of~~
3830 ~~Save Our Coasts bonds.~~

3831 (b)(e) Forecasts of anticipated revenues to the Land
3832 Acquisition Trust Fund.

3833 (c)(d) The estimate of the agency of Land Acquisition
3834 Trust Fund encumbrances and commitments for each year and the
3835 corresponding estimates of expenditures.

3836 Section 49. Subsection (1) and paragraph (c) of subsection
3837 (2) of section 375.075, Florida Statutes, are amended to read:

3838 375.075 Outdoor recreation; financial assistance to local
3839 governments.—

3840 (1) The Department of Environmental Protection is
3841 authorized to establish the Florida Recreation Development
3842 Assistance Program to provide grants subject to legislative
3843 appropriation to qualified local governmental entities to
3844 acquire or develop land for public outdoor recreation purposes.
3845 ~~To the extent not needed for debt service on bonds issued~~
3846 ~~pursuant to s. 375.051, each year the department shall develop~~
3847 ~~and plan a program which shall be based upon funding of not less~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3848 ~~than 5 percent of the money credited to the Land Acquisition~~
3849 ~~Trust Fund pursuant to s. 201.15(2) and (3) in that year. The~~
3850 department shall develop and plan a program that must ~~which~~
3851 ~~shall be based upon the cumulative total funding appropriated by~~
3852 ~~the Legislature for such purpose provided from this section and~~
3853 ~~from the Florida Forever Trust Fund pursuant to s.~~
3854 ~~259.105(3)(d).~~

3855 (2)

3856 (c) Funds may not be released under ~~No release of funds~~
3857 ~~from the Land Acquisition Trust Fund, or from the Florida~~
3858 ~~Forever Trust Fund beginning in fiscal year 2001-2002, for this~~
3859 program ~~may be made~~ for these public recreation projects until
3860 the projects have been selected through the competitive
3861 selection process provided for in this section.

3862 Section 50. Section 376.11, Florida Statutes, is amended
3863 to read:

3864 376.11 Florida Coastal Protection Trust Fund.—

3865 (1) The purpose of this section is to provide a mechanism
3866 to have financial resources immediately available for prevention
3867 of, and cleanup and rehabilitation after, a pollutant discharge,
3868 to prevent further damage by the pollutant, and to pay for
3869 damages. It is the legislative intent that this section be
3870 liberally construed to effect the purposes set forth, such
3871 interpretation being especially imperative in light of the
3872 danger to the environment and resources.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3873 (2) The Florida Coastal Protection Trust Fund is
3874 established, to be used by the department and the Fish and
3875 Wildlife Conservation Commission as a nonlapsing revolving fund
3876 ~~for carrying out the purposes of ss. 376.011-376.21. To this~~
3877 ~~fund shall be credited all registration fees, penalties,~~
3878 ~~judgments, damages recovered pursuant to s. 376.121, other fees~~
3879 ~~and charges related to ss. 376.011-376.21, and the excise tax~~
3880 ~~revenues levied, collected, and credited pursuant to ss.~~
3881 ~~206.9935(1) and 206.9945(1) (a). Charges against the fund shall~~
3882 ~~be in accordance with this section.~~

3883 (3) Moneys in the fund that are not needed currently to
3884 meet the obligations of the department in the exercise of its
3885 responsibilities under ss. 376.011-376.21 shall be deposited
3886 with the Chief Financial Officer to the credit of the fund and
3887 may be invested in such manner as is provided for by statute.
3888 Interest received on such investment shall be credited to the
3889 fund, except as otherwise specified herein.

3890 (4) Charges against the fund shall be in accordance with
3891 this section.

3892 (5) The following moneys shall be deposited into the
3893 Florida Coastal Protection Trust Fund:

3894 (a) All registration fees, penalties, judgments, damages
3895 recovered pursuant to s. 376.161, other fees and charges related
3896 to ss. 376.011-376.21, and the excise tax revenues levied,
3897 collected, and credited pursuant to ss. 206.9935(1) and
3898 206.9945(1) (a).

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3899 (b) Proceeds from fines and awards of damages pursuant to
3900 s. 161.054.

3901 (c) Funds from other sources otherwise specified by law.

3902 ~~(6)(4)~~ Moneys in the Florida Coastal Protection Trust Fund
3903 may shall be used disbursed for the following ~~purposes and no~~
3904 ~~others:~~

3905 (a) Administrative expenses, personnel expenses, and
3906 equipment costs of the department and the Fish and Wildlife
3907 Conservation Commission related to the enforcement of ss.
3908 376.011-376.21.

3909 (b) All costs involved in the prevention and abatement of
3910 pollution related to the discharge of pollutants covered by ss.
3911 376.011-376.21 and the abatement of other potential pollution
3912 hazards as authorized herein.

3913 (c) All costs and expenses of the cleanup, restoration,
3914 and rehabilitation of waterfowl, wildlife, and all other natural
3915 resources damaged by the discharge of pollutants, including the
3916 costs of assessing and recovering damages to natural resources,
3917 whether performed or authorized by the department or any other
3918 state or local agency.

3919 (d) All provable costs and damages which are the proximate
3920 results of the discharge of pollutants covered by ss. 376.011-
3921 376.21.

3922 (e) Loans to the Inland Protection Trust Fund created in
3923 s. 376.3071.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3924 (f) The interest earned from investments of the balance in
3925 the Florida Coastal Protection Trust Fund shall be used for
3926 funding the administrative expenses, personnel expenses, and
3927 equipment costs of the department relating to the enforcement of
3928 ss. 376.011-376.21.

3929 (g) The funding of a grant program to local governments,
3930 pursuant to s. 376.15(3)(d) and (e), for the removal of derelict
3931 vessels from the public waters of the state.

3932 (h) The department may spend up to \$1 million per year
3933 from the principal of the fund to acquire, design, train, and
3934 maintain emergency cleanup response teams and equipment located
3935 at appropriate ports throughout the state for the purpose of
3936 cleaning oil and other toxic materials from coastal waters. When
3937 the teams and equipment are not needed for these purposes they
3938 may be used for any other valid purpose of the department.

3939 (i) To provide a temporary transfer of funds in an amount
3940 not to exceed \$10 million to the Minerals Trust Fund as set
3941 forth in s. 376.40.

3942 (j) Funding for marine law enforcement.

3943 (k) Carrying out the purposes of ss. 376.011-376.21.

3944 (7)~~(5)~~ Any interest in lands acquired using moneys in the
3945 Florida Coastal Protection Trust Fund shall be held by the
3946 Trustees of the Internal Improvement Trust Fund, and such lands
3947 shall be acquired pursuant to the procedures set forth in s.
3948 253.025.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3949 (8)~~(6)~~ The department shall recover to the use of the fund
3950 from the person or persons causing the discharge or from the
3951 Federal Government, jointly and severally, all sums owed or
3952 expended from the fund, pursuant to s. 376.123(10), except that
3953 recoveries resulting from damage due to a discharge of a
3954 pollutant or other similar disaster shall be apportioned between
3955 the Florida Coastal Protection Trust Fund and the General
3956 Revenue Fund so as to repay the full costs to the General
3957 Revenue Fund of any sums disbursed therefrom as a result of such
3958 disaster. Requests for reimbursement to the fund for the above
3959 costs, if not paid within 30 days of demand, shall be turned
3960 over to the Department of Legal Affairs for collection.

3961 Section 51. Subsection (8) of section 376.123, Florida
3962 Statutes, is amended to read:

3963 376.123 Claims against the Florida Coastal Protection
3964 Trust Fund.—

3965 (8) If a person chooses to make a claim against the fund
3966 and accepts payment from, or a judgment against, the fund, then
3967 the department shall be subrogated to any cause of action that
3968 the claimant may have had, to the extent of such payment or
3969 judgment, and shall diligently pursue recovery on that cause of
3970 action pursuant to subsection (10) and s. 376.11(8) ~~376.11(6)~~.
3971 In any such action, the amount of damages shall be proved by the
3972 department by submitting to the court a written report of the
3973 amounts paid or owed from the fund to claimants. Such written
3974 report shall be admissible as evidence, and the amounts paid

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

3975 from or owed by the fund to the claimants stated therein shall
3976 be irrebuttably presumed to be the amount of damages.

3977 Section 52. Subsection (4) of section 376.307, Florida
3978 Statutes, is amended, paragraphs (g) through (l) are added to
3979 subsection (1), and subsection (8) is added to that section, to
3980 read:

3981 376.307 Water Quality Assurance Trust Fund.—

3982 (1) The Water Quality Assurance Trust Fund is intended to
3983 serve as a broad-based fund for use in responding to incidents
3984 of contamination that pose a serious danger to the quality of
3985 groundwater and surface water resources or otherwise pose a
3986 serious danger to the public health, safety, or welfare. Moneys
3987 in this fund may be used:

3988 (g) For detailed planning for and implementation of
3989 programs for the management and restoration of ecosystems.

3990 (h) For development and implementation of surface water
3991 improvement and management plans and programs under ss. 373.451-
3992 373.4595.

3993 (i) For activities to restore polluted water areas of the
3994 state, as defined by the department, to their condition before
3995 pollution occurred or to otherwise enhance pollution control
3996 activities.

3997 (j) For activities by the department to recover moneys as
3998 a result of actions against any person for a violation of
3999 chapter 373.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4000 (k) For activities authorized for the implementation of
4001 Leah Schad Memorial Ocean Outfall Program pursuant to s.
4002 403.086(9).

4003 (l) For funding activities to restore or rehabilitate
4004 injured or destroyed coral reefs.

4005 (4) The trust fund shall be funded as follows:

4006 (a) An annual transfer of interest funds from the Florida
4007 Coastal Protection Trust Fund pursuant to s. 376.11(6)(f)
4008 ~~376.11(4)(f)~~.

4009 (b) All excise taxes levied, collected, and credited to
4010 the Water Quality Assurance Trust Fund in accordance with the
4011 provisions of ss. 206.9935(2) and 206.9945(1)(b).

4012 (c) All penalties, judgments, recoveries, reimbursements,
4013 and other fees and charges related to the enforcement of ss.
4014 376.30-376.317, other than penalties, judgments, and other fees
4015 and charges related to the enforcement of ss. 376.3071 and
4016 376.3073.

4017 (d) The fee on the retail sale of lead-acid batteries
4018 credited to the Water Quality Assurance Trust Fund under s.
4019 403.7185.

4020 (e) All penalties, judgments, recoveries, reimbursements,
4021 loans, and other fees and charges collected under s. 376.3078;
4022 tax revenues levied, collected, and credited under ss. 376.70
4023 and 376.75; and registration fees collected under s.
4024 376.303(1)(d).

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4025 (f) All civil penalties recovered pursuant to s.
4026 373.129(5)(a).

4027 (g) Funds appropriated by the Legislature for the purposes
4028 of ss. 373.451-373.4598.

4029 (h) Moneys collected pursuant to s. 403.121 and designated
4030 for deposit into the Water Quality Assurance Trust Fund.

4031 (i) Moneys recovered by the state as a result of
4032 activities against a person for a violation of chapter 373 or
4033 chapter 403 initiated by the department.

4034 (j) Damages recovered for coral reef protection pursuant
4035 to s. 304.93345.

4036 (k) Funds available for the Leah Schad Memorial Ocean
4037 Outfall Program pursuant to s. 403.08601.

4038 (l) Funds received by the state for injury to or
4039 destruction of coral reefs, which moneys would otherwise be
4040 deposited into the General Revenue Fund or the Internal
4041 Improvement Trust Fund. The department may enter into settlement
4042 agreements that require responsible parties to pay a third party
4043 to fund projects related to the restoration of a coral reef, to
4044 accomplish mitigation for injury to a coral reef, or to support
4045 the activities of law enforcement agencies related to coral reef
4046 injury response, investigation, and assessment. Participation of
4047 a law enforcement agency in the receipt of such funds shall be
4048 at the law enforcement agency's discretion.

4049 (m) Moneys from sources otherwise specified by law.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4050 (8) A settlement entered into by the department may not
4051 limit the Legislature's authority to appropriate moneys from the
4052 trust fund; however, the department may enter into a settlement
4053 in which the department agrees to request that moneys received
4054 pursuant to the settlement will be included in its legislative
4055 budget request for purposes set out in the settlement. The
4056 department may enter into a settlement in cases involving joint
4057 enforcement with Hillsborough County pollution control program,
4058 as approved by the department pursuant to s. 403.182, in which
4059 the department agreed that moneys are to be deposited into that
4060 local program's pollution recovery fund and used for projects
4061 directed toward addressing the environmental damage that was the
4062 cause of action for which funds were received.

4063 Section 53. Subsection (4) of section 376.40, Florida
4064 Statutes, is amended to read:

4065 376.40 Petroleum exploration and production; purposes;
4066 funding.—

4067 (4) FUNDING.—There shall be deposited in the Minerals
4068 Trust Fund:

4069 (a) All fees charged permittees under ss. 377.24(1),
4070 377.2408(1), and 377.2425(1) (b).

4071 (b) All penalties, judgments, recoveries, reimbursements,
4072 and other fees and charges related to the implementation of this
4073 section.

4074 (c) Any other funds required to be deposited in the trust
4075 fund under provisions of law.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4076
4077 If moneys on deposit in the trust fund are not sufficient to
4078 satisfy the needed remedial or corrective action, and if the
4079 responsible party does not take remedial and corrective action
4080 in a timely manner or if a catastrophic event occurs, a
4081 temporary transfer of the required amount, or a maximum of \$10
4082 million, from the Florida Coastal Protection Trust Fund pursuant
4083 to s. 376.11(6)(j) ~~376.11(4)(i)~~ is authorized. The Florida
4084 Coastal Protection Trust Fund shall be reimbursed immediately
4085 upon deposit into the Minerals Trust Fund of moneys referred to
4086 in paragraph (b).

4087 Section 54. Subsection (2) of section 379.206, Florida
4088 Statutes, is amended to read:

4089 379.206 Grants and Donations Trust Fund.—

4090 (2) The fund is established for use as a depository for
4091 funds to be used for allowable grant and donor agreement
4092 activities funded by restricted contractual revenue. Moneys to
4093 be credited to the trust fund shall consist of grants and
4094 donations from private and public nonfederal sources,
4095 development-of-regional-impact wildlife mitigation
4096 contributions, interest earnings, and cash advances from other
4097 trust funds.

4098 Section 55. Paragraphs (a) and (b) of subsection (1) and
4099 subsection (2) of section 379.212, Florida Statutes, are
4100 amended, and subsection (3) is added to that section to read:

4101 379.212 Land Acquisition Trust Fund.—

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4102 (1) (a) There is established within the Fish and Wildlife
4103 Conservation Commission the Land Acquisition Trust Fund to
4104 implement the provisions prescribed in s. 28, Art. X of the
4105 State Constitution for the Purpose of acquiring, assisting other
4106 agencies or local governments in acquiring, or managing lands
4107 important to the conservation of fish and wildlife.

4108 (b) The Fish and Wildlife Conservation Commission or its
4109 designee shall manage such lands for the primary purpose of
4110 maintaining and enhancing their habitat value for fish and
4111 wildlife. Other uses may be allowed that are not contrary to
4112 this purpose.

4113 (2) The fund may be credited with funds transferred from
4114 the Land Acquisition Trust Fund within the Department of
4115 Environmental Protection as provided in s. 375.041 Moneys which
4116 may be deposited into the Land Acquisition Trust Fund for the
4117 purposes of this section may include, but not be limited to,
4118 donations, grants, development of regional impact wildlife
4119 mitigation contributions, or legislative appropriations.
4120 ~~Preservation 2000 acquisition moneys and Conservation and~~
4121 ~~Recreation Lands management moneys shall not be deposited into~~
4122 ~~this fund.~~

4123 (3) The Fish and Wildlife Conservation Commission must
4124 maintain the integrity of such moneys transferred from the
4125 Department of Environmental Protection. Any transferred moneys
4126 available from reversions or reductions in budget authority
4127 shall be transferred back to the Land Acquisition Trust Fund in

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4128 the Department of Environmental Protection within 15 days after
4129 such reversions or reductions and shall be available for future
4130 appropriation pursuant to s. 28, Art. X of the State
4131 Constitution.

4132 Section 56. Subsection (2) of section 379.214, Florida
4133 Statutes, is amended to read:

4134 379.214 Invasive Plant Control Trust Fund.—

4135 (2) Funds to be credited to and uses of the trust fund
4136 shall be administered in accordance with the provisions of ss.
4137 ~~201.15,~~ 206.606, 328.76, 369.20, 369.22, 369.252, and 379.502.

4138 Section 57. Subsection (12) of section 380.0666, Florida
4139 Statutes, is amended to read:

4140 380.0666 Powers of land authority.—The land authority
4141 shall have all the powers necessary or convenient to carry out
4142 and effectuate the purposes and provisions of this act,
4143 including the following powers, which are in addition to all
4144 other powers granted by other provisions of this act:

4145 (12) To identify parcels of land within the area or areas
4146 of critical state concern that would be appropriate acquisitions
4147 by the state ~~from the Conservation and Recreational Lands Trust~~
4148 ~~Fund~~ and recommend such acquisitions to the advisory council
4149 established pursuant to s. 259.035 or its successor.

4150 Section 58. Subsection (11) of section 380.507, Florida
4151 Statutes, is amended to read:

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4152 380.507 Powers of the trust.—The trust shall have all the
4153 powers necessary or convenient to carry out the purposes and
4154 provisions of this part, including:

4155 (11) To make rules necessary to carry out the purposes of
4156 this part and to exercise any power granted in this part,
4157 pursuant to ~~the provisions of~~ chapter 120. The trust shall adopt
4158 rules governing the acquisition of lands using proceeds from the
4159 ~~Preservation 2000 Trust Fund and the~~ Florida Forever Trust Fund,
4160 consistent with the intent expressed in the Florida Forever Act.
4161 Such rules for land acquisition must include, but are not
4162 limited to, procedures for appraisals and confidentiality
4163 consistent with ss. 125.355(1)(a) and (b) and 166.045(1)(a) and
4164 (b), a method of determining a maximum purchase price, and
4165 procedures to assure that the land is acquired in a voluntarily
4166 negotiated transaction, surveyed, conveyed with marketable
4167 title, and examined for hazardous materials contamination. Land
4168 acquisition procedures of a local land authority created
4169 pursuant to s. 380.0663 or s. 380.0677, Florida Statutes 2014,
4170 may be used for the land acquisition programs described in s. by
4171 ~~ss.~~ 259.101(3)(c), Florida Statutes 2014, and s. 259.105 if
4172 within areas of critical state concern designated pursuant to s.
4173 380.05, subject to approval of the trust.

4174 Section 59. Subsection (4) of section 380.508, Florida
4175 Statutes, is amended to read:

4176 380.508 Projects; development, review, and approval.—

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4177 (4) Projects or activities which the trust undertakes,
4178 coordinates, or funds in any manner shall comply with the
4179 following guidelines:

4180 (a) The purpose of redevelopment projects shall be to
4181 restore areas which are adversely affected by scattered
4182 ownership, poor lot layout, inadequate park and open space,
4183 incompatible land uses, or other conditions which endanger the
4184 environment or impede orderly development. Grants and loans
4185 awarded for redevelopment projects shall be used for assembling
4186 parcels of land within redevelopment project areas for the
4187 redesign of such areas and for the installation of public
4188 improvements required to serve such areas. After redesign and
4189 installation of public improvements, if any, lands in
4190 redevelopment projects, with the exception of lands acquired for
4191 public purposes, shall be conveyed to any person for development
4192 in accordance with a redevelopment project plan approved
4193 according to this part.

4194 (b) The purpose of resource enhancement projects shall be
4195 to enhance natural resources which, because of indiscriminate
4196 dredging or filling, improper location of improvements, natural
4197 or human-induced events, or incompatible land uses, have
4198 suffered loss of natural and scenic values. Grants and loans
4199 awarded for resource enhancement projects shall be used for the
4200 assembly of parcels of land to improve resource management, for
4201 relocation of improperly located or designed improvements, and

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4202 for other corrective measures which will enhance the natural and
4203 scenic character of project areas.

4204 (c) The purpose of public access projects shall be to
4205 acquire interests in and initially develop lands which are
4206 suitable for and which will be used for public accessways to
4207 surface waters. The trust shall identify local governments and
4208 nonprofit organizations which will accept responsibility for
4209 maintenance and liability for public accessways which are
4210 located outside the state park system. The trust may lease any
4211 public access site developed under this part to a local
4212 government or nonprofit organization, provided that the
4213 conditions of the lease guarantee public use of the site. The
4214 trust may accept, from any local government or nonprofit
4215 organization, fees collected for providing public access to
4216 surface waters. The trust shall expend any such funds it accepts
4217 only for acquisition, development, and maintenance of such
4218 public accessways. To the maximum extent possible, the trust
4219 shall expend such fees in the general area where they are
4220 collected or in areas where public access to surface waters is
4221 clearly deficient. The trust may transfer funds, including such
4222 fees, to a local government or nonprofit organization to acquire
4223 public access sites. In developing or coordinating public access
4224 projects, the trust shall ensure that project plans involving
4225 beach access are consistent with state laws governing beach
4226 access.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4227 (d) The purpose of urban waterfront restoration projects
4228 shall be to restore deteriorated or deteriorating urban
4229 waterfronts for public use and enjoyment. Urban waterfront
4230 restoration projects shall include public access sites.

4231 (e) The purpose of working waterfront projects shall be to
4232 restore and preserve working waterfronts as provided in s.
4233 380.5105.

4234 (f) The trust shall cooperate with local governments,
4235 state agencies, federal agencies, and nonprofit organizations in
4236 ensuring the reservation of lands for parks, recreation, fish
4237 and wildlife habitat, historical preservation, or scientific
4238 study. If a ~~In the event that any~~ local government, state
4239 agency, federal agency, or nonprofit organization is unable, due
4240 to limited financial resources or other circumstances of a
4241 temporary nature, to acquire a site for the purposes described
4242 in this paragraph, the trust may acquire and hold the site for
4243 subsequent conveyance to the appropriate governmental agency or
4244 nonprofit organization. The trust may provide such technical
4245 assistance as is required to aid the local government
4246 ~~governments~~, state and federal agency agencies, and nonprofit
4247 organization organizations in completing acquisition and related
4248 functions. The trust may ~~shall~~ not reserve lands acquired in
4249 accordance with this paragraph for more than 5 years from the
4250 time of acquisition. A local government, federal or state
4251 agency, or nonprofit organization may acquire the land at any
4252 time during this period for public purposes. The purchase price

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4253 shall be based upon the trust's cost of acquisition, plus
4254 administrative and management costs in reserving the land. The
4255 payment of the ~~this~~ purchase price shall be by money, trust-
4256 approved property of an equivalent value, or a combination of
4257 money and trust-approved property. If, after the 5-year period,
4258 the trust has not sold to a governmental agency or nonprofit
4259 organization land acquired for site reservation, the trust shall
4260 dispose of such land at fair market value or shall trade it for
4261 other land of comparable value which will serve to accomplish
4262 the purposes of this part. Any proceeds from the sale of such
4263 land shall be deposited into ~~in~~ the appropriate trust fund
4264 pursuant to s. 253.034(6)(k), (l), or (m). All moneys and
4265 revenue from the operation, management, lease, of land, water
4266 areas, related resources, and the facilities thereon acquired or
4267 constructed under this part shall be credited to or deposited
4268 into the Internal Improvement Florida Communities Trust Fund.

4269
4270 Project costs may include costs of providing parks, open space,
4271 public access sites, scenic easements, and other areas and
4272 facilities serving the public where such features are part of a
4273 project plan approved according to this part. In undertaking or
4274 coordinating projects or activities authorized under ~~by~~ this
4275 part, the trust shall, when appropriate, use and promote the use
4276 of creative land acquisition methods, including the acquisition
4277 of less than fee interest through, among other methods,
4278 conservation easements, transfer of development rights, leases,

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4279 and leaseback arrangements. The trust also shall assist local
4280 governments in the use of sound alternative methods of financing
4281 for funding projects and activities authorized under ~~by~~ this
4282 part. Any funds over and above eligible project costs, which
4283 remain after completion of a project approved according to this
4284 part, shall be transmitted to the state and deposited into ~~in~~
4285 the Florida Forever ~~Florida Communities~~ Trust Fund.

4286 Section 60. Paragraph (f) of subsection (3) and
4287 subsections (5) and (7) of section 380.510, Florida Statutes,
4288 are amended to read:

4289 380.510 Conditions of grants and loans.—

4290 (3) In the case of a grant or loan for land acquisition,
4291 agreements shall provide all of the following:

4292 ~~(f) The term of any grant using funds received from the~~
4293 ~~Preservation 2000 Trust Fund, pursuant to s. 259.101(3)(c),~~
4294 ~~shall be for a period not to exceed 24 months. The governing~~
4295 ~~board of the trust may offer a grant with a shorter term and may~~
4296 ~~extend a grant beyond 24 months when the grant recipient~~
4297 ~~demonstrates that significant progress is being made toward~~
4298 ~~closing the project or that extenuating circumstances warrant an~~
4299 ~~extension of time. If a local government project which was~~
4300 ~~awarded a grant is not closed within 24 months and the governing~~
4301 ~~board of the trust does not grant an extension, the grant~~
4302 ~~reverts to the trust's unencumbered balance of Preservation 2000~~
4303 ~~funds to be redistributed to other eligible projects. The local~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4304 ~~government may reapply for a grant to fund the project in the~~
4305 ~~trust's next application cycle.~~

4306

4307 Any deed or other instrument of conveyance whereby a nonprofit
4308 organization or local government acquires real property under
4309 this section shall set forth the interest of the state. The
4310 trust shall keep at least one copy of any such instrument and
4311 shall provide at least one copy to the Board of Trustees of the
4312 Internal Improvement Trust Fund.

4313 (5) Any funds the trust collects from a nonprofit
4314 organization or local government under a grant or loan agreement
4315 shall be deposited into ~~in~~ the Internal Improvement Florida
4316 Communities Trust Fund within the Department of Environmental
4317 Protection.

4318 (7) Any funds received by the trust ~~from the Preservation~~
4319 ~~2000 Trust Fund pursuant to s. 259.101(3)(c) and the Florida~~
4320 ~~Forever Trust Fund pursuant to s. 259.105(3)(c) or s. 375.041~~
4321 shall be held separate and apart from any other funds held by
4322 the trust and ~~shall be~~ used for the land acquisition purposes of
4323 this part. ~~In addition to the other conditions set forth in this~~
4324 ~~section, the disbursement of Preservation 2000 and Florida~~
4325 ~~Forever funds from the trust shall be subject to the following~~
4326 ~~conditions:~~

4327 (a) The administration and use of Florida Forever ~~any~~
4328 ~~funds~~ are ~~received by the trust from the Preservation 2000 Trust~~
4329 ~~Fund and the Florida Forever Trust Fund shall be subject to such~~

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4330 terms and conditions imposed thereon by the agency of the state
4331 responsible for the bonds, the proceeds of which are deposited
4332 into in the Preservation 2000 Trust Fund and the Florida Forever
4333 Trust Fund, including restrictions imposed to ensure that the
4334 interest on ~~any~~ such bonds issued by the state as tax-exempt
4335 bonds are ~~will~~ not ~~be~~ included in the gross income of the
4336 holders of such bonds for federal income tax purposes.

4337 (b) All deeds or leases with respect to any real property
4338 acquired with funds received by the trust from the Preservation
4339 2000 Trust Fund, the Florida Forever Trust Fund, or the Land
4340 Acquisition Trust Fund ~~must~~ ~~shall~~ contain such covenants and
4341 restrictions as are sufficient to ensure that the use of such
4342 real property at all times complies with ~~s. 375.051~~ and s. 9,
4343 Art. XII of the State Constitution. Each deed or lease ~~All deeds~~
4344 ~~or leases~~ with respect to any real property acquired with funds
4345 received by the trust from the Florida Forever Trust Fund must
4346 ~~shall~~ contain such covenants and restrictions as are sufficient
4347 to ensure that the use of such real property at all times
4348 complies with s. 11(e), Art. VII of the State Constitution. Each
4349 deed or lease must ~~shall~~ contain a reversion, conveyance, or
4350 termination clause that vests ~~will vest~~ title in the Board of
4351 Trustees of the Internal Improvement Trust Fund if any of the
4352 covenants or restrictions are violated by the titleholder or
4353 leaseholder or by some third party with the knowledge of the
4354 titleholder or leaseholder.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4355 Section 61. Subsection (2) of section 403.0615, Florida
4356 Statutes, is amended to read:

4357 403.0615 Water resources restoration and preservation.—

4358 (2) The department shall establish a program, subject to
4359 specific legislative appropriation, to assist in the restoration
4360 and preservation of bodies of water and to enhance existing
4361 public access when deemed necessary for the enhancement of the
4362 restoration effort. ~~This program shall be funded from the~~
4363 ~~General Revenue Fund, from funds available from the Ecosystem~~
4364 ~~Management and Restoration Trust Fund, and from available~~
4365 ~~federal moneys.~~

4366 Section 62. Section 403.08601, Florida Statutes, is
4367 amended to read:

4368 403.08601 Leah Schad Memorial Ocean Outfall Program.—The
4369 Legislature declares that as funds become available the state
4370 may assist the local governments and agencies responsible for
4371 implementing the Leah Schad Memorial Ocean Outfall Program
4372 pursuant to s. 403.086(9). Funds received from other sources
4373 provided for in law, the General Appropriations Act, from gifts
4374 designated for implementation of the plan from individuals,
4375 corporations, or other entities, or federal funds appropriated
4376 by Congress for implementation of the plan, may be deposited
4377 into an account of the Water Quality Assurance Ecosystem
4378 ~~Management and Restoration Trust Fund created pursuant to s.~~
4379 ~~403.1651.~~

272503

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Amendment No.

4380 Section 63. Subsection (11) of section 403.121, Florida
4381 Statutes, is amended to read:

4382 403.121 Enforcement; procedure; remedies.—The department
4383 shall have the following judicial and administrative remedies
4384 available to it for violations of this chapter, as specified in
4385 s. 403.161(1).

4386 (11) Penalties collected pursuant to this section shall be
4387 deposited into ~~in~~ the Water Quality Assurance Ecosystem
4388 ~~Management and Restoration~~ Trust Fund or other trust fund
4389 designated by statute and shall be used to fund the restoration
4390 of ecosystems, or polluted areas of the state, as defined by the
4391 department, to their condition before pollution occurred. The
4392 Florida Conflict Resolution Consortium may use a portion of the
4393 fund to administer the mediation process provided in paragraph
4394 (2) (e) and to contract with private mediators for administrative
4395 penalty cases.

4396 Section 64. Subsection (1) of section 403.885, Florida
4397 Statutes, is amended to read:

4398 403.885 Water Projects Grant Program.—

4399 (1) The Department of Environmental Protection shall
4400 administer a grant program to use funds ~~transferred pursuant to~~
4401 ~~s. 212.20 to the Ecosystem Management and Restoration Trust Fund~~
4402 ~~or other moneys~~ as appropriated by the Legislature for water
4403 quality improvement, stormwater management, wastewater
4404 management, and water restoration and other water projects as
4405 specifically appropriated by the Legislature. Eligible

272503

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Amendment No.

4406 recipients of such grants include counties, municipalities,
4407 water management districts, and special districts that have
4408 legal responsibilities for water quality improvement, water
4409 management, stormwater management, wastewater management, lake
4410 and river water restoration projects, and drinking water
4411 projects pursuant to this section.

4412 Section 65. Subsection (6) of section 403.9325, Florida
4413 Statutes, is amended to read:

4414 403.9325 Definitions.—For the purposes of ss. 403.9321-
4415 403.9333, the term:

4416 (6) "Public lands that have been set aside for
4417 conservation or preservation" means:

4418 (a) Conservation and recreation lands under chapter 259;

4419 (b) State and national parks;

4420 (c) State and national reserves and preserves, except as
4421 provided in s. 403.9326(3);

4422 (d) State and national wilderness areas;

4423 (e) National wildlife refuges (only those lands under
4424 Federal Government ownership);

4425 (f) Lands acquired through the Water Management Lands
4426 Trust Fund, Save Our Rivers Program;

4427 (g) Lands acquired under the Save Our Coast program;

4428 (h) Lands acquired under the environmentally endangered
4429 lands bond program;

4430 (i) Public lands designated as conservation or
4431 preservation under a local government comprehensive plan;

272503

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Amendment No.

4432 (j) Lands purchased by a water management district, the
4433 Fish and Wildlife Conservation Commission, or any other state
4434 agency for conservation or preservation purposes;

4435 (k) Public lands encumbered by a conservation easement
4436 that does not provide for the trimming of mangroves; ~~and~~

4437 (l) Public lands designated as critical wildlife areas by
4438 the Fish and Wildlife Conservation Commission; and

4439 (m) Lands and interests acquired with funds deposited into
4440 the Land Acquisition Trust Fund pursuant to s. 28, Art. X of the
4441 State Constitution.

4442 Section 66. Paragraph (f) of subsection (3) and subsection
4443 (11) of section 403.93345, Florida Statutes, are amended to
4444 read:

4445 403.93345 Coral reef protection.—

4446 (3) As used in this section, the term:

4447 (f) "Fund" means the Water Quality Assurance Ecosystem
4448 ~~Management and Restoration~~ Trust Fund.

4449 (11) All damages recovered by or on behalf of this state
4450 for injury to, or destruction of, the coral reefs of the state
4451 that would otherwise be deposited into ~~in~~ the general revenue
4452 accounts of the State Treasury or in the Internal Improvement
4453 Trust Fund shall be deposited into ~~in~~ the Water Quality
4454 Assurance Ecosystem Management and Restoration Trust Fund in the
4455 department and shall remain in such account until expended by
4456 the department for the purposes of this section. Moneys in the
4457 fund received from damages recovered for injury to, or

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4458 destruction of, coral reefs must be expended only for the
4459 following purposes:

4460 (a) To provide funds to the department for reasonable
4461 costs incurred in obtaining payment of the damages for injury
4462 to, or destruction of, coral reefs, including administrative
4463 costs and costs of experts and consultants. Such funds may be
4464 provided in advance of recovery of damages.

4465 (b) To pay for restoration or rehabilitation of the
4466 injured or destroyed coral reefs or other natural resources by a
4467 state agency or through a contract to any qualified person.

4468 (c) To pay for alternative projects selected by the
4469 department. Any such project shall be selected on the basis of
4470 its anticipated benefits to the residents of this state who used
4471 the injured or destroyed coral reefs or other natural resources
4472 or will benefit from the alternative project.

4473 (d) All claims for trust fund reimbursements under
4474 paragraph (a) must be made within 90 days after payment of
4475 damages is made to the state.

4476 (e) Each private recipient of fund disbursements shall be
4477 required to agree in advance that its accounts and records of
4478 expenditures of such moneys are subject to audit at any time by
4479 appropriate state officials and to submit a final written report
4480 describing such expenditures within 90 days after the funds have
4481 been expended.

4482 (f) When payments are made to a state agency from the fund
4483 for expenses compensable under this subsection, such

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4484 expenditures shall be considered as being for extraordinary
4485 expenses, and no agency appropriation shall be reduced by any
4486 amount as a result of such reimbursement.

4487 Section 67. Subsections (5) and (6) of section 420.5092,
4488 Florida Statutes, are amended to read:

4489 420.5092 Florida Affordable Housing Guarantee Program.—

4490 (5) Pursuant to s. 16, Art. VII of the State Constitution,
4491 the corporation may issue, in accordance with s. 420.509,
4492 revenue bonds of the corporation to establish the guarantee
4493 fund. Such revenue bonds shall be primarily payable from and
4494 secured by annual debt service reserves, from interest earned on
4495 funds on deposit in the guarantee fund, from fees, charges, and
4496 reimbursements established by the corporation for the issuance
4497 of affordable housing guarantees, and from any other revenue
4498 sources received by the corporation and deposited by the
4499 corporation into the guarantee fund for the issuance of
4500 affordable housing guarantees. To the extent such primary
4501 revenue sources are considered insufficient by the corporation,
4502 pursuant to the certification provided in subsection (6), to
4503 fully fund the annual debt service reserve, the certified
4504 deficiency in such reserve shall be additionally payable from
4505 the first proceeds of the documentary stamp tax moneys deposited
4506 into the State Housing Trust Fund pursuant to s. 201.15(5)(d)
4507 and (5)(e) ~~201.15(9)(a) and (10)(a)~~ during the ensuing state
4508 fiscal year.

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4509 (6) (a) If the primary revenue sources to be used for
4510 repayment of revenue bonds used to establish the guarantee fund
4511 are insufficient for such repayment, the annual principal and
4512 interest due on each series of revenue bonds shall be payable
4513 from funds in the annual debt service reserve. The corporation
4514 shall, before June 1 of each year, perform a financial audit to
4515 determine whether at the end of the state fiscal year there will
4516 be on deposit in the guarantee fund an annual debt service
4517 reserve from interest earned pursuant to the investment of the
4518 guarantee fund, fees, charges, and reimbursements received from
4519 issued affordable housing guarantees and other revenue sources
4520 available to the corporation. Based upon the findings in such
4521 guarantee fund financial audit, the corporation shall certify to
4522 the Chief Financial Officer the amount of any projected
4523 deficiency in the annual debt service reserve for any series of
4524 outstanding bonds as of the end of the state fiscal year and the
4525 amount necessary to maintain such annual debt service reserve.
4526 Upon receipt of such certification, the Chief Financial Officer
4527 shall transfer to the annual debt service reserve, from the
4528 first available taxes distributed to the State Housing Trust
4529 Fund pursuant to s. 201.15(5)(d) and (5)(e) ~~201.15(9)(a) and~~
4530 ~~(10)(a)~~ during the ensuing state fiscal year, the amount
4531 certified as necessary to maintain the annual debt service
4532 reserve.

4533 (b) If the claims payment obligations under affordable
4534 housing guarantees from amounts on deposit in the guarantee fund

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4535 would cause the claims paying rating assigned to the guarantee
4536 fund to be less than the third-highest rating classification of
4537 any nationally recognized rating service, which classifications
4538 being consistent with s. 215.84(3) and rules adopted thereto by
4539 the State Board of Administration, the corporation shall certify
4540 to the Chief Financial Officer the amount of such claims payment
4541 obligations. Upon receipt of such certification, the Chief
4542 Financial Officer shall transfer to the guarantee fund, from the
4543 first available taxes distributed to the State Housing Trust
4544 Fund pursuant to s. 201.15(5)(d) and (5)(e) ~~201.15(9)(a) and~~
4545 ~~(10)(a)~~ during the ensuing state fiscal year, the amount
4546 certified as necessary to meet such obligations, such transfer
4547 to be subordinate to any transfer referenced in paragraph (a)
4548 and not to exceed 50 percent of the amounts distributed to the
4549 State Housing Trust Fund pursuant to s. 201.15(5)(d) and (5)(e)
4550 ~~201.15(9)(a) and (10)(a)~~ during the preceding state fiscal
4551 year.

4552 Section 68. Subsections (1), (2), and (3) of section
4553 420.9073, Florida Statutes, are amended to read:

4554 420.9073 Local housing distributions.—

4555 (1) Distributions calculated in this section shall be
4556 disbursed on a quarterly or more frequent basis by the
4557 corporation pursuant to s. 420.9072, subject to availability of
4558 funds. Each county's share of the funds to be distributed from
4559 the portion of the funds in the Local Government Housing Trust

272503

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Amendment No.

4560 Fund received pursuant to s. 201.15(5)(d) ~~201.15(9)~~ shall be
4561 calculated by the corporation for each fiscal year as follows:

4562 (a) Each county other than a county that has implemented
4563 the provisions of chapter 83-220, Laws of Florida, as amended by
4564 chapters 84-270, 86-152, and 89-252, Laws of Florida, shall
4565 receive the guaranteed amount for each fiscal year.

4566 (b) Each county other than a county that has implemented
4567 the provisions of chapter 83-220, Laws of Florida, as amended by
4568 chapters 84-270, 86-152, and 89-252, Laws of Florida, may
4569 receive an additional share calculated as follows:

4570 1. Multiply each county's percentage of the total state
4571 population excluding the population of any county that has
4572 implemented the provisions of chapter 83-220, Laws of Florida,
4573 as amended by chapters 84-270, 86-152, and 89-252, Laws of
4574 Florida, by the total funds to be distributed.

4575 2. If the result in subparagraph 1. is less than the
4576 guaranteed amount as determined in subsection (3), that county's
4577 additional share shall be zero.

4578 3. For each county in which the result in subparagraph 1.
4579 is greater than the guaranteed amount as determined in
4580 subsection (3), the amount calculated in subparagraph 1. shall
4581 be reduced by the guaranteed amount. The result for each such
4582 county shall be expressed as a percentage of the amounts so
4583 determined for all counties. Each such county shall receive an
4584 additional share equal to such percentage multiplied by the
4585 total funds received by the Local Government Housing Trust Fund

272503

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Amendment No.

4586 pursuant to s. 201.15(5)(d) ~~201.15(9)~~ reduced by the guaranteed
4587 amount paid to all counties.

4588 (2) Distributions calculated in this section shall be
4589 disbursed on a quarterly or more frequent basis by the
4590 corporation pursuant to s. 420.9072, subject to availability of
4591 funds. Each county's share of the funds to be distributed from
4592 the portion of the funds in the Local Government Housing Trust
4593 Fund received pursuant to s. 201.15(5)(e) ~~201.15(10)~~ shall be
4594 calculated by the corporation for each fiscal year as follows:

4595 (a) Each county shall receive the guaranteed amount for
4596 each fiscal year.

4597 (b) Each county may receive an additional share calculated
4598 as follows:

4599 1. Multiply each county's percentage of the total state
4600 population, by the total funds to be distributed.

4601 2. If the result in subparagraph 1. is less than the
4602 guaranteed amount as determined in subsection (3), that county's
4603 additional share shall be zero.

4604 3. For each county in which the result in subparagraph 1.
4605 is greater than the guaranteed amount, the amount calculated in
4606 subparagraph 1. shall be reduced by the guaranteed amount. The
4607 result for each such county shall be expressed as a percentage
4608 of the amounts so determined for all counties. Each such county
4609 shall receive an additional share equal to this percentage
4610 multiplied by the total funds received by the Local Government

272503

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Amendment No.

4611 Housing Trust Fund pursuant to s. 201.15(5)(e) ~~201.15(10)~~ as
4612 reduced by the guaranteed amount paid to all counties.

4613 (3) Calculation of guaranteed amounts:

4614 (a) The guaranteed amount under subsection (1) shall be
4615 calculated for each state fiscal year by multiplying \$350,000 by
4616 a fraction, the numerator of which is the amount of funds
4617 distributed to the Local Government Housing Trust Fund pursuant
4618 to s. 201.15(5)(d) ~~201.15(9)~~ and the denominator of which is the
4619 total amount of funds distributed to the Local Government
4620 Housing Trust Fund pursuant to s. 201.15.

4621 (b) The guaranteed amount under subsection (2) shall be
4622 calculated for each state fiscal year by multiplying \$350,000 by
4623 a fraction, the numerator of which is the amount of funds
4624 distributed to the Local Government Housing Trust Fund pursuant
4625 to s. 201.15(5)(e) ~~201.15(10)~~ and the denominator of which is
4626 the total amount of funds distributed to the Local Government
4627 Housing Trust Fund pursuant to s. 201.15.

4628 Section 69. Subsection (2) of section 570.321, Florida
4629 Statutes, is amended to read:

4630 570.321 Plant Industry Trust Fund.—

4631 (2) Funds to be credited to and uses of the trust fund
4632 shall be administered in accordance with ss. ~~259.032~~, 581.031,
4633 581.141, 581.211, 581.212, 586.045, 586.15, 586.16, 593.114, and
4634 593.117.

4635 Section 70. Subsection (12) of section 570.71, Florida
4636 Statutes, is amended to read:

272503

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Amendment No.

4637 570.71 Conservation easements and agreements.—

4638 (12) The department may use funds appropriated by the
4639 Legislature from the following sources to implement this
4640 section:

4641 (a) State funds;

4642 (b) Federal funds;

4643 (c) Other governmental entities;

4644 (d) Nongovernmental organizations; or

4645 (e) Private individuals.

4646

4647 Any such funds provided, other than from the Land Acquisition
4648 Trust Fund, shall be deposited into the Incidental Conservation
4649 and Recreation Lands Program Trust Fund within the Department of
4650 Agriculture and Consumer Services and used for the purposes of
4651 this section, including administrative and operating expenses
4652 related to appraisals, mapping, title process, personnel, and
4653 other real estate expenses.

4654 Section 71. Paragraph (c) of subsection (1) of section
4655 895.09, Florida Statutes, is amended to read:

4656 895.09 Disposition of funds obtained through forfeiture
4657 proceedings.—

4658 (1) A court entering a judgment of forfeiture in a
4659 proceeding brought pursuant to s. 895.05 shall retain
4660 jurisdiction to direct the distribution of any cash or of any
4661 cash proceeds realized from the forfeiture and disposition of

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4662 the property. The court shall direct the distribution of the
4663 funds in the following order of priority:

4664 (c) Any claim by the Board of Trustees of the Internal
4665 Improvement Trust Fund on behalf of the Internal Improvement
4666 Trust Fund or the trust fund used ~~Land Acquisition Trust Fund~~
4667 pursuant to s. 253.03(12), not including administrative costs of
4668 the Department of Environmental Protection previously paid
4669 directly from the Internal Improvement Trust Fund in accordance
4670 with legislative appropriation.

4671 Section 72. Sections 161.05301, 373.5905, 375.045,
4672 375.051, 379.202, 380.0677, 380.511, 403.1651, 403.8911,
4673 570.207, Florida Statutes, are repealed.

4674 Section 73. For the purpose of incorporating the amendment
4675 made by this act to section 201.15, Florida Statutes, in a
4676 reference thereto, subsection (6) of section 339.2818, Florida
4677 Statutes, is reenacted to read:

4678 339.2818 Small County Outreach Program.—

4679 (6) Funds paid into the State Transportation Trust Fund
4680 pursuant to s. 201.15 for the purposes of the Small County
4681 Outreach Program are hereby annually appropriated for
4682 expenditure to support the Small County Outreach Program.

4683 Section 74. For the purpose of incorporating the amendment
4684 made by this act to section 201.15, Florida Statutes, in a
4685 reference thereto, subsection (5) of section 339.2819, Florida
4686 Statutes, is reenacted to read:

4687 339.2819 Transportation Regional Incentive Program.—

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4688 (5) Funds paid into the State Transportation Trust Fund
4689 pursuant to s. 201.15 for the purposes of the Transportation
4690 Regional Incentive Program are hereby annually appropriated for
4691 expenditure to support that program.

4692 Section 75. For the purpose of incorporating the amendment
4693 made by this act to section 201.15, Florida Statutes, in a
4694 reference thereto, subsection (3) of section 339.61, Florida
4695 Statutes, is reenacted to read:

4696 339.61 Florida Strategic Intermodal System; legislative
4697 findings, declaration, and intent.—

4698 (3) Funds paid into the State Transportation Trust Fund
4699 pursuant to s. 201.15 for the purposes of the Florida Strategic
4700 Intermodal System are hereby annually appropriated for
4701 expenditure to support that program.

4702 Section 76. For the purpose of incorporating the amendment
4703 made by this act to section 201.15, Florida Statutes, in a
4704 reference thereto, subsection (6) of section 341.051, Florida
4705 Statutes, is reenacted to read:

4706 341.051 Administration and financing of public transit and
4707 intercity bus service programs and projects.—

4708 (6) ANNUAL APPROPRIATION.—Funds paid into the State
4709 Transportation Trust Fund pursuant to s. 201.15 for the New
4710 Starts Transit Program are hereby annually appropriated for
4711 expenditure to support the New Starts Transit Program.

4712

272503

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Amendment No.

4713 For purposes of this section, the term "net operating costs"
4714 means all operating costs of a project less any federal funds,
4715 fares, or other sources of income to the project.

4716 Section 77. For the purpose of incorporating the amendment
4717 made by this act to section 201.15, Florida Statutes, in a
4718 reference thereto, paragraph (e) of subsection (4) of section
4719 373.470, Florida Statutes, is reenacted to read:

4720 373.470 Everglades restoration.—

4721 (4) SAVE OUR EVERGLADES TRUST FUND; FUNDS AUTHORIZED FOR
4722 DEPOSIT.—The following funds may be deposited into the Save Our
4723 Everglades Trust Fund created by s. 373.472 to finance
4724 implementation of the comprehensive plan, the Lake Okeechobee
4725 Watershed Protection Plan, the River Watershed Protection Plans,
4726 and the Keys Wastewater Plan:

4727 (e) Funds made available pursuant to s. 201.15 for debt
4728 service for Everglades restoration bonds.

4729 Section 78. For the purpose of incorporating the amendment
4730 made by this act to section 201.15, Florida Statutes, in a
4731 reference thereto, subsection (1) of section 420.9079, Florida
4732 Statutes, is reenacted to read:

4733 420.9079 Local Government Housing Trust Fund.—

4734 (1) There is created in the State Treasury the Local
4735 Government Housing Trust Fund, which shall be administered by
4736 the corporation on behalf of the department according to the
4737 provisions of ss. 420.907-420.9076 and this section. There shall
4738 be deposited into the fund a portion of the documentary stamp

272503

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Amendment No.

4739 tax revenues as provided in s. 201.15, moneys received from any
4740 other source for the purposes of ss. 420.907-420.9076 and this
4741 section, and all proceeds derived from the investment of such
4742 moneys. Moneys in the fund that are not currently needed for the
4743 purposes of the programs administered pursuant to ss. 420.907-
4744 420.9076 and this section shall be deposited to the credit of
4745 the fund and may be invested as provided by law. The interest
4746 received on any such investment shall be credited to the fund.

4747 Section 79. For the purpose of incorporating the amendment
4748 made by this act to section 375.041, Florida Statutes, in a
4749 reference thereto, paragraph (b) of subsection (3) of section
4750 258.015, Florida Statutes, is reenacted to read:

4751 258.015 Citizen support organizations; use of property;
4752 audit.—

4753 (3) PARTNERSHIPS IN PARKS.—

4754 (b) The Legislature may annually appropriate funds from
4755 the Land Acquisition Trust Fund for use only as state matching
4756 funds, in conjunction with private donations in aggregates of at
4757 least \$60,000 matched by \$40,000 of state funds for a total
4758 minimum project amount of \$100,000 for capital improvement
4759 facility development at state parks, at either individually
4760 designated parks or for priority projects within the overall
4761 state park system. Not more than 30 percent of the Land
4762 Acquisition Trust Fund unencumbered fund balance or \$3 million,
4763 whichever is less, shall be reserved, available annually for
4764 matching private donations. The amount held in reserve for the

272503

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Amendment No.

4765 state match will be no greater than \$6 million for any fiscal
4766 year. State funds from the Land Acquisition Trust Fund or other
4767 appropriate funding sources shall be used for matching private
4768 donations for 40 percent of the projects' costs. Funds held in
4769 reserve for the purposes of this subsection shall be available
4770 only after the requirements of s. 375.041(3) are met. Citizen
4771 support organizations organized and operating for the benefit of
4772 state parks may acquire private donations pursuant to this
4773 section, and matching state funds for approved projects may be
4774 provided in accordance with this subsection. The department is
4775 authorized to properly recognize and honor a private donor by
4776 placing a plaque or other appropriate designation noting the
4777 contribution on project facilities or by naming project
4778 facilities after the person or organization that provided
4779 matching funds. The department is authorized to adopt necessary
4780 administrative rules to carry out the purposes of this
4781 subsection.

4782 Section 80. For the purpose of incorporating the amendment
4783 made by this act to section 376.307, Florida Statutes, in a
4784 reference thereto, subsection (2) of section 287.0595, Florida
4785 Statutes, is reenacted to read:

4786 287.0595 Pollution response action contracts; department
4787 rules.—

4788 (2) In adopting rules under this section, the Department
4789 of Environmental Protection shall follow the criteria applicable
4790 to the department's contracting to the maximum extent possible,

272503

Approved For Filing: 6/1/2015 1:06:09 PM

Amendment No.

4791 consistent with the goals and purposes of ss. 376.307 and
4792 376.3071.

4793 Section 81. This act shall take effect July 1, 2015.

4794

4795 -----

4796 **T I T L E A M E N D M E N T**

4797 Remove everything before the enacting clause and insert:

4798 A bill to be entitled

4799 An act relating to implementation of the water and
4800 land conservation constitutional amendment;
4801 terminating the Conservation and Recreation Lands
4802 Trust Fund, the Ecosystem Management and Restoration
4803 Trust Fund, the Florida Communities Trust Fund, the
4804 Florida Preservation 2000 Trust Fund, and the Water
4805 Management Lands Trust Fund within the Department of
4806 Environmental Protection; providing for the
4807 disposition of the balances in and revenues of certain
4808 trust funds; prescribing procedures for the
4809 termination of such trust funds; terminating the
4810 Conservation and Recreation Lands Program Trust Fund
4811 within the Department of Agriculture and Consumer
4812 Services; terminating the Conservation and Recreation
4813 Lands Program Trust Fund within the Fish and Wildlife
4814 Conservation Commission; prescribing procedures for
4815 the termination of such trust funds; amending s.
4816 17.61, F.S.; specifying that interest payments from

272503

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Amendment No.

4817 the certain trust funds within the Department of
4818 Agriculture and Consumer Services, Department of
4819 Environmental Protection, Fish and Wildlife
4820 Conservation Commission, and Department of State
4821 accrue to general revenue funds; amending s. 161.091,
4822 F.S.; conforming provisions; authorizing funds to be
4823 used for activities identified in the water and land
4824 conservation constitutional amendment; amending s.
4825 201.15, F.S.; amending distributions of documentary
4826 stamp taxes to conform to requirements of the water
4827 and land conservation constitutional amendment;
4828 amending s. 211.3103, F.S.; eliminating the
4829 Conservation and Recreation Lands Trust Fund from the
4830 distribution of the tax on severance of phosphate
4831 rock; revising dates and distributions of moneys to
4832 fund specific programs and activities; amending s.
4833 215.618, F.S.; providing a percentage cap of the
4834 amount of documentary stamp taxes that may be taken
4835 into account to satisfy certain bonds tests;
4836 specifying that Florida Forever bonds are secured on
4837 parity with Everglades bonds; amending s. 215.619,
4838 F.S.; providing a percentage cap of the amount of
4839 documentary stamp taxes that may be taken into account
4840 to satisfy certain bonds tests; specifying that
4841 Everglades bonds are secured on parity with Florida
4842 Forever bonds; amending s. 253.034, F.S.; specifying

272503

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Amendment No.

4843 the trust fund into which the sale of certain surplus
4844 conservation lands must be deposited; limiting the
4845 amount of funds that can be spent from the Land
4846 Acquisition Trust Fund for certain management
4847 agreements or contracts; conforming provisions;
4848 amending s. 259.032, F.S.; conforming provisions;
4849 deleting mandated cap on funds authorized for the
4850 natural areas inventory; deleting funds mandated for
4851 placement into the Plant Industry Trust Fund; amending
4852 s. 259.035; revising date by which rules of the
4853 Acquisition and Restoration Council must be developed;
4854 deleting obsolete provisions; conforming provisions;
4855 amending s. 259.101, F.S.; requiring an agency or
4856 district that acquired lands using Preservation 2000
4857 funds to manage lands to make such lands available for
4858 public recreational use under certain circumstances;
4859 deleting obsolete provisions; conforming provisions;
4860 amending s. 373.459, F.S.; deleting provisions
4861 providing for reversion of certain unused funds to
4862 State Board of Administration; amending s. 373.59,
4863 F.S.; deleting allocations of funds from the Water
4864 Management Lands Trust Fund to individual water
4865 management districts; deleting obsolete provisions;
4866 conforming provisions; amending s. 373.703, F.S.;
4867 deleting obsolete provisions; restricting use of
4868 legislative appropriations as security for certain

272503

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Amendment No.

4869 revenue bonds under certain circumstances; amending s.
4870 375.041, F.S.; providing purpose for creation of the
4871 Land Acquisition Trust Fund; specifying trust fund for
4872 the receipt of funds from sale of lands; specifying
4873 trust for the receipt of funds from management of
4874 lands; specifying the allocation of funds from the
4875 Land Acquisition Trust Fund; specifying that funds
4876 accruing to other agencies for certain purposes shall
4877 be transferred to such agencies; requiring a certain
4878 transferred fund to revert to the Land Acquisition
4879 Trust Fund under certain circumstances within a
4880 specified time; conforming provisions; deleting
4881 obsolete provisions; amending s. 375.075, F.S.;
4882 deleting identification of the minimum amount of
4883 funding available for the Florida Recreation
4884 Development Assistance program; revising the funding
4885 sources to be considered when drafting the recreation
4886 plan; amending s. 376.307, F.S.; specifying uses of
4887 the Water Quality Assurance Trust Fund; providing
4888 funding sources for the Water Quality Assurance Trust
4889 Fund; amending s. 379.206, F.S.; providing that
4890 development-of-regional-impact mitigation criteria may
4891 be credited to the Grants and Donations Trust Fund;
4892 amending s. 379.212, F.S.; authorizing Land
4893 Acquisition Trust Fund within the Department of
4894 Environmental Protection to be transferred to the Land

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Amendment No.

4895 Acquisition Trust Fund within Fish and Wildlife
4896 Conservation Commission under certain circumstances;
4897 deleting obsolete provisions; amending s 380.508,
4898 F.S.; specifying the trust fund for receipt of funds
4899 from sale of certain lands by a trust; specifying the
4900 trust fund for receipt of funds from management of
4901 certain lands by a trust; conforming changes; amending
4902 s. 403.0615, F.S.; deleting a provision specifying
4903 that the water resources restoration and preservation
4904 program be funded by general revenue; specifying the
4905 program shall be funded by specific appropriation;
4906 amending s. 570.71, F.S.; restricting certain funds in
4907 the Land Acquisition Trust Fund from deposit into the
4908 Incidental Trust Fund within the Department of
4909 Agriculture and Consumer Services for certain
4910 purposes; amending ss. 161.054, 201.0205, 215.20,
4911 253.027, 253.03, 253.7824, 258.435, 259.036, 259.037,
4912 259.04, 259.041, 259.105, 259.1051, 338.250, 339.0801,
4913 339.55, 341.303, 343.58, 369.252, 373.026, 373.089,
4914 373.129, 373.199, 373.430, 373.4592, 373.45926,
4915 373.470, 373.584, 375.031, 375.044, 376.11, 376.123,
4916 376.40, 379.214, 380.0666, 380.507, 380.510,
4917 403.08601, 403.121, 403.885, 403.9325, 403.93345,
4918 420.5092, 420.9073, 570.321, and 895.09, F.S.;
4919 conforming provisions to changes made by the act;
4920 deleting obsolete provisions; repealing s. 161.05301,

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Amendment No.

4921 F.S., relating to beach erosion control project
4922 staffing; repealing s. 373.5905, F.S., relating to
4923 payments in lieu of taxes; repealing s. 375.045, F.S.,
4924 relating to Florida Preservation 2000 Trust Fund;
4925 repealing s. 375.051, F.S., relating to the issuance
4926 of revenue bonds subject to the constitutional
4927 amendment; repealing s. 379.202, F.S., relating to the
4928 Conservation and Recreation Lands Program Trust Fund
4929 of the Fish and Wildlife Conservation Commission;
4930 repealing s. 380.0677, F.S., relating to the Green
4931 Swamp Land Authority; repealing s. 380.511, F.S.,
4932 relating to the Florida Communities Trust Fund;
4933 repealing s. 403.1651, F.S., relating to the Ecosystem
4934 Management and Restoration Trust Fund; repealing s.
4935 403.8911, F.S., relating to annual appropriation from
4936 the Water Protection and Sustainability Program Trust
4937 Fund; repealing s. 570.207, F.S., relating to
4938 Conservation and Recreation Lands Program Trust Fund
4939 of the Department of Agriculture and Consumer
4940 Services; reenacting ss. 339.2818(6), F.S., relating
4941 to the Small County Outreach Program, s. 339.2819(5),
4942 F.S., relating to the Transportation Regional
4943 Incentive Program, s. 339.61(3), F.S., relating to the
4944 Florida Strategic Intermodal System, s. 341.051(6),
4945 F.S., relating to the New Starts Transit Program, s.
4946 373.470(4)(e), F.S., relating to debt service for

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Amendment No.

4947 Everglades restoration bonds, and s. 420.9079(1),
4948 F.S., relating to the Local Government Housing Trust
4949 Fund, to incorporate the amendment made by this act to
4950 s. 201.15, F.S., in references thereto; reenacting s.
4951 258.015(3)(b), F.S., relating to funds available to
4952 citizen support organizations, to incorporate the
4953 amendment made by this act to s. 375.041, F.S., in a
4954 reference thereto; reenacting s. 287.0595(2), F.S.,
4955 relating to Department of Environmental Protection's
4956 authority to adopt certain pollution response rules,
4957 to incorporate the amendment made by this act to s.
4958 376.307, F.S., in a reference thereto; providing an
4959 effective date.

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