

By the Committee on Appropriations; and Senator Simpson

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1                   A bill to be entitled  
2           An act relating to state lands; amending s. 253.025,  
3           F.S.; authorizing the Board of Trustees of the  
4           Internal Improvement Trust Fund to waive certain  
5           requirements and rules and substitute procedures  
6           relating to the acquisition of state lands under  
7           certain conditions; providing that title to certain  
8           acquired lands are vested in the board; providing for  
9           the administration of such lands; authorizing the  
10          board to adopt specified rules; revising requirements  
11          for the appraisal of lands proposed for acquisition;  
12          requiring an agency proposing an acquisition to pay  
13          the associated costs; deleting provisions directing  
14          the board to approve qualified fee appraisal  
15          organizations; requiring fee appraisers to submit  
16          certain affidavits to an agency before contracting  
17          with a participant in a multiparty agreement;  
18          prohibiting fee appraisers from negotiating with  
19          property owners; revising the minimum survey standards  
20          incorporated by reference for conducting certified  
21          surveys; authorizing the disclosure of confidential  
22          appraisal reports under certain conditions; providing  
23          for public agencies and nonprofit organizations to  
24          enter into written agreements with the Department of  
25          Environmental Protection, rather than the Division of  
26          State Lands, to purchase and hold property for  
27          subsequent resale to the board, rather than the  
28          division; revising the definition of the term  
29          "nonprofit organization"; directing the board to adopt  
30          by rule the method for determining the value of  
31          parcels sought to be acquired by state agencies;  
32          providing requirements for such acquisitions;

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33 expanding the scope of real estate acquisition  
34 services for which the board and state agencies may  
35 contract; authorizing the Department of Environmental  
36 Protection to use outside counsel to review any  
37 agreements or documents or to perform acquisition  
38 closings under certain conditions; requiring state  
39 agencies to furnish the Department of Environmental  
40 Protection rather than the Division of State Lands  
41 with specified acquisition documents; providing that  
42 the purchase price of certain parcels is not subject  
43 to an increase or a decrease as a result of certain  
44 circumstances; authorizing the board of trustees to  
45 direct the Department of Environmental Protection to  
46 exercise eminent domain for the acquisition of certain  
47 conservation parcels under certain circumstances;  
48 authorizing the department to exercise condemnation  
49 authority directly or by contracting with the  
50 Department of Transportation or a water management  
51 district to provide such service; authorizing the  
52 board of trustees to direct the Department of  
53 Environmental Protection to purchase lands on an  
54 immediate basis using specified funds; authorizing the  
55 board of trustees to waive or modify all procedures  
56 required for such land acquisition; providing that  
57 title to certain lands held jointly by the board of  
58 trustees and a water management district meet the  
59 standards necessary for ownership by the board;  
60 creating s. 253.0251, F.S.; providing for the use of  
61 alternatives to fee simple acquisition for land

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62 purchases by the Department of Environmental  
63 Protection, the Department of Agriculture and Consumer  
64 Services, and water management districts; amending s.  
65 253.03, F.S.; deleting provisions directing the board  
66 of trustees to adopt by rule an annual administrative  
67 fee for certain leases and similar instruments;  
68 revising the criteria by which specified structures  
69 have the right to continue submerged land leases;  
70 directing the board of trustees to adopt by rule an  
71 annual administrative fee for certain leases and  
72 instruments; authorizing nonwater-dependent uses for  
73 submerged lands; amending s. 253.031, F.S.; providing  
74 for the Department of Environmental Protection to  
75 maintain documents concerning all state lands;  
76 deleting an obsolete provision; amending s. 253.034,  
77 F.S.; authorizing the department to submit certain  
78 state-owned lands to the Acquisition and Restoration  
79 Council or board of trustees for review and  
80 consideration; requiring that all nonconservation land  
81 use plans are managed to provide the greatest benefit  
82 to the state; deleting provisions requiring an  
83 analysis of natural or cultural resources as part of a  
84 nonconservation land use plan; specifying that certain  
85 management and short-term and long-term goals for the  
86 conservation of plant and animal species apply to  
87 conservation lands; providing conditions under which  
88 the Secretary of Environmental Protection, the  
89 Commissioner of Agriculture, or the executive director  
90 of the Fish and Wildlife Conservation Commission or

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91 their designees are required to submit land management  
92 plans to the board of trustees; requiring that updated  
93 land management plans identify conservation lands that  
94 are no longer needed for conservation purposes;  
95 deleting provisions directing the board of trustees to  
96 make certain determinations regarding the surplus and  
97 disposition of state lands; deleting provisions  
98 requiring that buildings and parcels of land be  
99 offered for lease to state agencies, state  
100 universities, and Florida College System institutions  
101 before being offered for lease or sale to a local or  
102 federal unit of government or a private party;  
103 amending s. 253.0341, F.S.; deleting provisions  
104 authorizing counties and local governments to submit  
105 requests for the surplus of state-owned lands and  
106 requiring that such requests be expedited; directing  
107 the board of trustees to make certain determinations  
108 regarding the surplus and disposition of state lands;  
109 providing that lands acquired before a certain date  
110 using specified proceeds are deemed to have been  
111 acquired for conservation purposes; providing that  
112 certain lands used by the Department of Corrections,  
113 the Department of Management Services, and the  
114 Department of Transportation may not be designated as  
115 lands acquired for conservation purposes; requiring  
116 updated land management plans to identify conservation  
117 and nonconservation lands that are no longer used for  
118 the purposes for which they were originally leased and  
119 that could be disposed of; deleting an obsolete

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120 provision; requiring that facilities and  
121 nonconservation parcels of land be offered for lease  
122 to state agencies before being offered for lease to a  
123 local or federal unit of government, state university,  
124 Florida College System institution, or private party;  
125 providing for the valuation and disposition of surplus  
126 lands; providing for the deposit of proceeds from the  
127 sale of such lands; authorizing the board of trustees  
128 to adopt rules; requiring surplus lands conveyed to a  
129 local government for affordable housing to be disposed  
130 of by the local government; amending s. 253.111, F.S.;  
131 deleting provisions requiring the board of trustees to  
132 afford an opportunity to local governments to purchase  
133 certain state-owned lands; revising provisions  
134 relating to the rights of riparian owners to secure  
135 certain state-owned lands; amending s. 253.42, F.S.;  
136 authorizing individuals or entities to submit requests  
137 to the Division of State Lands to exchange state-owned  
138 land for privately held land; requiring the state to  
139 retain permanent conservation easements over the  
140 state-owned land and all or a portion of the privately  
141 held land; requiring the division, under certain  
142 circumstances, to submit requests to the Acquisition  
143 and Restoration Council for review and recommendation  
144 and to the board of trustees with recommendations from  
145 the division and the council; providing applicability;  
146 directing the board of trustees to consider a request  
147 if certain conditions are met; providing special  
148 consideration for certain requests; providing that

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149 such lands are subject to inspection; amending s.  
150 253.782, F.S.; deleting a provision directing the  
151 Department of Environmental Protection to retain  
152 ownership of and maintain lands or interests in land  
153 owned by the board of trustees; amending s. 253.7821,  
154 F.S.; assigning the Cross Florida Greenways State  
155 Recreation and Conservation Area to the Department of  
156 Environmental Protection rather than the Office of  
157 Greenways Management within the Office of the  
158 Secretary; creating s. 253.87, F.S.; directing the  
159 Department of Environmental Protection to include  
160 certain county, municipal, state, and federal lands in  
161 the Florida State-Owned Lands and Records Information  
162 System (FL-SOLARIS) database and to update the  
163 database at specified intervals; requiring counties,  
164 municipalities, and financially disadvantaged small  
165 communities to submit a list of certain lands to the  
166 department by a specified date and at specified  
167 intervals; directing the department to conduct a study  
168 and submit a report to the Governor and the  
169 Legislature on the technical and economic feasibility  
170 of including certain lands in the database or a  
171 similar public lands inventory; amending s. 259.01,  
172 F.S.; renaming the "Land Conservation Act of 1972" as  
173 the "Land Conservation Program"; repealing s. 259.02,  
174 F.S., relating to issuance of state bonds for certain  
175 land projects; amending s. 259.032, F.S.; conforming  
176 cross-references; revising provisions relating to the  
177 management of conservation and recreation lands to

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178 conform with changes made by the act; revising duties  
179 of the Acquisition and Restoration Council; amending  
180 s. 259.035, F.S.; requiring recipients of funds from  
181 the Land Acquisition Trust Fund to annually report  
182 certain performance measures to the Department of  
183 Environmental Protection rather than the Division of  
184 State Lands; amending s. 259.036, F.S.; revising the  
185 composition of the regional land management review  
186 team; providing for the Department of Environmental  
187 Protection rather than the Division of State Lands to  
188 act as the review team coordinator; revising  
189 requirements for conservation and recreation land  
190 management reviews and plans; amending s. 259.037,  
191 F.S.; removing the director of the Office of Greenways  
192 and Trails from the Land Management Uniform Accounting  
193 Council; repealing s. 259.041(1)-(6) and (8)-(19),  
194 F.S., relating to the acquisition of state-owned lands  
195 for preservation, conservation, and recreation  
196 purposes; amending s. 259.047, F.S.; revising  
197 provisions relating to the acquisition of land on  
198 which an agricultural lease exists to conform with  
199 changes made by the act; amending s. 259.101, F.S.;  
200 conforming cross-references; revising provisions  
201 relating to alternate use of lands acquired under the  
202 Florida Preservation 2000 Act to conform with changes  
203 made by the act; deleting provisions for alternatives  
204 to fee simple acquisition of such lands to conform  
205 with changes made by the act; amending s. 259.105,  
206 F.S.; deleting provisions requiring the advancement of

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207 certain goals and objectives of imperiled species  
208 management on state lands to conform with changes made  
209 by the act; conforming cross-references; revising  
210 provisions directing the Acquisition and Restoration  
211 Council to give increased priority to certain projects  
212 when developing proposed rules relating to Florida  
213 Forever funding and additions to the Conservation and  
214 Recreation Lands list; deleting provisions requiring  
215 that such rules be submitted to the Legislature for  
216 review; amending s. 259.1052, F.S.; deleting  
217 provisions authorizing the Department of Environmental  
218 Protection to distribute revenues from the Florida  
219 Forever Trust Fund for the acquisition of a portion of  
220 Babcock Crescent B Ranch; creating s. 570.715, F.S.,  
221 and transferring, renumbering, and amending s.  
222 259.04(7), F.S.; providing procedures for the  
223 acquisition of conservation easements by the  
224 Department of Agriculture and Consumer Services;  
225 amending s. 373.089, F.S.; extending the timeframe  
226 within which a certified appraisal may be obtained for  
227 parcels of land to be sold as surplus; providing an  
228 additional exception to the requirement that the  
229 governing board first offer title to certain lands;  
230 revising the procedures a water management district  
231 must follow for publishing a notice of intention to  
232 sell surplus lands; providing an exception from such  
233 notice requirements if a parcel of land is valued  
234 below a certain threshold; authorizing such parcels to  
235 be sold directly to the highest bidder; amending ss.



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236 73.015, 125.355, 166.045, 215.82, 215.965, 253.027,  
 237 253.7824, 260.015, 260.016, 369.317, 373.139, 375.031,  
 238 375.041, 380.05, 380.055, 380.508, 589.07, 944.10,  
 239 957.04, 985.682, and 1013.14, F.S.; conforming cross-  
 240 references; providing an appropriation and authorizing  
 241 positions; providing an effective date.

242

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

244

245 Section 1. Section 253.025, Florida Statutes, is amended to  
 246 read:

247 253.025 Acquisition of state lands ~~for purposes other than~~  
 248 ~~preservation, conservation, and recreation.~~-

249 (1) ~~(a) Neither~~ The Board of Trustees of the Internal  
 250 Improvement Trust Fund or ~~nor~~ its duly authorized agent may not  
 251 ~~shall~~ commit the state, through any instrument of negotiated  
 252 contract or agreement for purchase, to the purchase of lands  
 253 with or without appurtenances unless ~~the provisions of this~~  
 254 section has ~~have~~ been fully complied with.

255 (b) Except for the requirements of subsections (4), (11),  
 256 and (22), if the public's interest is reasonably protected, the  
 257 board of trustees may:

258 1. Waive any requirements of this section.

259 2. Waive any rules adopted pursuant to this section,  
 260 notwithstanding chapter 120.

261 3. Substitute other reasonably prudent procedures.

262 (c) However, The board of trustees may also substitute  
 263 federally mandated acquisition procedures for the provisions of  
 264 this section if ~~when~~ federal funds are available and will be

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265 used ~~utilized~~ for the purchase of lands, title to which will  
266 vest in the board of trustees, and qualification for such  
267 federal funds requires compliance with federally mandated  
268 acquisition procedures.

269 (d) Notwithstanding ~~any provisions in~~ this section ~~to the~~  
270 ~~contrary~~, if lands are being acquired by the board of trustees  
271 for the anticipated sale, conveyance, or transfer to the Federal  
272 Government pursuant to a joint state and federal acquisition  
273 project, the board of trustees may use appraisals obtained by  
274 the Federal Government in the acquisition of such lands. The  
275 board of trustees may waive any provision of this section when  
276 land is being conveyed from a state agency to the board.

277 (e) The title to lands acquired pursuant to this section  
278 shall vest in the board of trustees pursuant to s. 253.03(1)  
279 unless otherwise provided by law, and all such titled lands  
280 shall be administered pursuant to s. 253.03.

281 (2) Before ~~Prior to~~ any state agency initiates ~~initiating~~  
282 any land acquisition, except for ~~as pertains to~~ the purchase of  
283 property for transportation facilities and transportation  
284 corridors and property for borrow pits for road building  
285 purposes, the agency shall coordinate with the Division of State  
286 Lands to determine the availability of existing, suitable state-  
287 owned lands in the area and the public purpose for which the  
288 acquisition is being proposed. If the state agency determines  
289 that no suitable state-owned lands exist, the state agency may  
290 proceed to acquire such lands by employing all available  
291 statutory authority for acquisition.

292 (3) The board of trustees is authorized to adopt rules to  
293 implement this section, including rules governing the terms and

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294 conditions of land purchases. The rules shall address, with  
295 specificity, but need not be limited to:

296 (a) The procedures to be followed in the acquisition  
297 process, including selection of appraisers, surveyors, title  
298 agents, and closing agents, and the content of appraisal  
299 reports.

300 (b) The determination of the value of parcels which the  
301 state has an interest in acquiring.

302 (c) Special requirements when multiple landowners are  
303 involved in an acquisition.

304 (d) Requirements for obtaining written option agreements so  
305 that the interests of the state are fully protected.

306 (4) An agreement to acquire real property for the purposes  
307 described in this chapter, chapter 259, chapter 260, or chapter  
308 375, title to which will vest in the board of trustees, may not  
309 bind the state before the agreement is reviewed and approved by  
310 the Department of Environmental Protection as complying with  
311 this section and any rules adopted pursuant to this section. If  
312 any of the following conditions exist, the agreement shall be  
313 submitted to and approved by the board of trustees:

314 (a) The purchase price agreed to by the seller exceeds the  
315 value as established pursuant to the rules of the board of  
316 trustees;

317 (b) The contract price agreed to by the seller and the  
318 acquiring agency exceeds \$1 million;

319 (c) The acquisition is the initial purchase in a Florida  
320 Forever project; or

321 (d) Other conditions that the board of trustees may adopt  
322 by rule. Such conditions may include, but are not limited to,

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323 Florida Forever projects when title to the property being  
324 acquired is considered nonmarketable or is encumbered in such a  
325 way as to significantly affect its management.

326  
327 If approval of the board of trustees is required pursuant to  
328 this subsection, the acquiring agency must provide a  
329 justification as to why it is in the public's interest to  
330 acquire the parcel or Florida Forever project. Approval of the  
331 board of trustees is also required for Florida Forever projects  
332 the department recommends acquiring pursuant to subsections (11)  
333 and (22). Review and approval of agreements for acquisitions for  
334 Florida Greenways and Trails Program properties pursuant to  
335 chapter 260 may be waived by the department in any contract with  
336 nonprofit corporations that have agreed to assist the department  
337 with this program. If the contribution of the acquiring agency  
338 exceeds \$100 million in any one fiscal year, the agreement shall  
339 be submitted to and approved by the Legislative Budget  
340 Commission.

341 (5)~~(3)~~ Land acquisition procedures provided for in this  
342 section are for voluntary, negotiated acquisitions.

343 (6)~~(4)~~ For the purposes of this section, the term  
344 "negotiations" does not include preliminary contacts with the  
345 property owner to determine the availability of the property,  
346 existing appraisal data, existing abstracts, and surveys.

347 (7)~~(5)~~ Evidence of marketable title shall be provided by  
348 the landowner before ~~prior to~~ the conveyance of title, as  
349 provided in the final agreement for purchase. Such evidence of  
350 marketability shall be in the form of title insurance or an  
351 abstract of title with a title opinion. The board of trustees

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352 may waive the requirement that the landowner provide evidence of  
353 marketable title, and, in such case, the acquiring agency shall  
354 provide evidence of marketable title. The board of trustees or  
355 its designee may waive the requirement of evidence of  
356 marketability for acquisitions of property assessed by the  
357 county property appraiser at \$10,000 or less, if ~~where~~ the  
358 Division of State Lands finds, based upon such review of the  
359 title records as is reasonable under the circumstances, that  
360 there is no apparent impediment to marketability, or to  
361 management of the property by the state.

362 (8)-(6) Before approval by the board of trustees, or, when  
363 applicable, the Department of Environmental Protection, of any  
364 agreement to purchase land pursuant to this chapter, chapter  
365 259, chapter 260, or chapter 375, and before ~~Prior to~~  
366 negotiations with the parcel owner to purchase any other land  
367 ~~pursuant to this section~~, title to which will vest in the board  
368 of trustees, an appraisal of the parcel shall be required as  
369 follows:

370 (a) The board of trustees shall adopt by rule the method  
371 for determining the value of parcels sought to be acquired by  
372 state agencies pursuant to this section.

373 (b)-(a) Each parcel to be acquired shall have at least one  
374 appraisal. Two appraisals are required when the estimated value  
375 of the parcel exceeds \$1 million. However, if both appraisals  
376 exceed \$1 million and differ significantly, a third appraisal  
377 may be obtained. If ~~When~~ a parcel is estimated to be worth  
378 \$100,000 or less and the director of the Division of State Lands  
379 finds that the cost of an outside appraisal is not justified, a  
380 comparable sales analysis, an appraisal prepared by the

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381 division, or other reasonably prudent procedures may be used by  
382 the division to estimate the value of the parcel, provided the  
383 public's interest is reasonably protected. The state is not  
384 required to appraise the value of lands and appurtenances that  
385 are being donated to the state.

386 ~~(c)~~ ~~(b)~~ Appraisal fees and associated costs shall be paid by  
387 the agency proposing the acquisition. ~~The board of trustees~~  
388 ~~shall approve qualified fee appraisal organizations.~~ All  
389 appraisals used for the acquisition of lands pursuant to this  
390 section shall be prepared by a ~~member of an approved appraisal~~  
391 ~~organization or by a~~ state-certified appraiser. The board of  
392 trustees shall adopt rules for selecting individuals to perform  
393 appraisals pursuant to this section. Each fee appraiser selected  
394 to appraise a particular parcel shall, before ~~prior to~~  
395 contracting with the agency or a participant in a multiparty  
396 agreement, submit to the ~~that~~ agency an affidavit substantiating  
397 that he or she has no vested or fiduciary interest in such  
398 parcel.

399 (d) The fee appraiser and the review appraiser for the  
400 agency may not act in any manner that may be construed as  
401 negotiating with the owner of a parcel proposed for acquisition.

402 ~~(e)~~ ~~(e)~~ The board of trustees shall adopt by rule the  
403 minimum criteria, techniques, and methods to be used in the  
404 preparation of appraisal reports. Such rules shall incorporate,  
405 to the extent practicable, generally accepted appraisal  
406 standards. Any appraisal issued for acquisition of lands  
407 pursuant to this section must comply with the rules adopted by  
408 the board of trustees. A certified survey must be made which  
409 meets the minimum requirements for upland parcels established in

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410 the ~~Minimum Technical~~ Standards of Practice for Land Surveying  
411 in Florida published by the Department of Agriculture and  
412 Consumer Services ~~Business and Professional Regulation~~ and which  
413 accurately portrays, to the greatest extent practicable, the  
414 condition of the parcel as it currently exists. The requirement  
415 for a certified survey may, in part or in whole, be waived by  
416 the board of trustees any time before ~~prior to~~ submitting the  
417 agreement for purchase to the Division of State Lands. When an  
418 existing boundary map and description of a parcel are determined  
419 by the division to be sufficient for appraisal purposes, the  
420 division director may temporarily waive the requirement for a  
421 survey until any time before ~~prior to~~ conveyance of title to the  
422 parcel. ~~The fee appraiser and the review appraiser for the~~  
423 ~~agency shall not act in any way that may be construed as~~  
424 ~~negotiating with the property owner.~~

425 (f) ~~(d)~~ Appraisal reports are confidential and exempt from  
426 ~~the provisions of s. 119.07(1), for use by the agency and the~~  
427 board of trustees, until an option contract is executed or, if  
428 no option contract is executed, until 2 weeks before a contract  
429 or agreement for purchase is considered for approval by the  
430 board of trustees. The Department of Environmental Protection  
431 may disclose appraisal reports to private landowners during  
432 negotiations for acquisitions using alternatives to fee simple  
433 techniques, if the department determines that disclosure of such  
434 reports will bring the proposed acquisition to closure. However,  
435 the private landowner must agree to maintain the confidentiality  
436 of the reports or information. However, The department ~~Division~~  
437 ~~of State Lands~~ may also disclose appraisal information to public  
438 agencies or nonprofit organizations that agree to maintain the

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439 confidentiality of the reports or information when joint  
 440 acquisition of property is contemplated, or when a public agency  
 441 or nonprofit organization enters into a written agreement with  
 442 the department ~~division~~ to purchase and hold property for  
 443 subsequent resale to the board of trustees ~~division~~. In  
 444 addition, the department ~~division~~ may use, as its own,  
 445 appraisals obtained by a public agency or nonprofit  
 446 organization, if provided the appraiser is selected from the  
 447 department's ~~division's~~ list of appraisers and the appraisal is  
 448 reviewed and approved by the department ~~division~~. For ~~the~~  
 449 purposes of this paragraph, the term "nonprofit organization"  
 450 means an organization that ~~whose purpose is the preservation of~~  
 451 ~~natural resources, and which~~ is exempt from federal income tax  
 452 under s. 501(c) (3) of the Internal Revenue Code and, for  
 453 purposes of the acquisition of conservation lands, an  
 454 organization whose purpose must include the preservation of  
 455 natural resources. The agency may release an appraisal report  
 456 when the passage of time has rendered the conclusions of value  
 457 in the report invalid or when the acquiring agency has  
 458 terminated negotiations.

459 (g) ~~(e)~~ Before ~~Prior to~~ acceptance of an appraisal, the  
 460 agency shall submit a copy of such report to the division ~~of~~  
 461 ~~State Lands~~. The division shall review such report for  
 462 compliance with the rules of the board ~~of trustees~~. Any  
 463 questions of applicability of laws affecting an appraisal shall  
 464 be addressed by the legal office of the agency.

465 (h) ~~(f)~~ The appraisal report shall be accompanied by the  
 466 sales history of the parcel for at least the previous ~~prior~~ 5  
 467 years. Such sales history shall include all parties and



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468 considerations with the amount of consideration verified, if  
469 possible. If a sales history would not be useful, or it is its  
470 cost prohibitive compared to the value of a parcel, the sales  
471 history may be waived by the board of trustees. The board of  
472 trustees shall adopt a rule specifying guidelines for waiver of  
473 a sales history.

474 (i)~~(g)~~ The board of trustees may consider an appraisal  
475 acquired by a seller, or any part thereof, in negotiating to  
476 purchase a parcel, but such appraisal may not be used in lieu of  
477 an appraisal required by this subsection or to determine the  
478 maximum offer allowed by law.

479 (j)1. The board of trustees shall adopt by rule the method  
480 for determining the value of parcels sought to be acquired by  
481 state agencies pursuant to this section. An offer by a state  
482 agency may not exceed the value for that parcel as determined  
483 pursuant to the highest approved appraisal or the value  
484 determined pursuant to the rules of the board of trustees,  
485 whichever value is less.

486 2. For a joint acquisition by a state agency and a local  
487 government or other entity apart from the state, the joint  
488 purchase price may not exceed 150 percent of the value for a  
489 parcel as determined in accordance with the limits in  
490 subparagraph 1. The state agency share of a joint purchase offer  
491 may not exceed what the agency may offer singly pursuant to  
492 subparagraph 1.

493 3. This paragraph does not apply to the acquisition of  
494 historically unique or significant property as determined by the  
495 Division of Historical Resources of the Department of State.  
496

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497 Notwithstanding this subsection, on behalf of the board of  
498 trustees and before the appraisal of parcels approved for  
499 purchase under this chapter or chapter 259, the Secretary of  
500 Environmental Protection or the director of the Division of  
501 State Lands may enter into option contracts to buy such parcels.  
502 Any such option contract shall state that the final purchase  
503 price is subject to approval by the board of trustees or, if  
504 applicable, the Secretary of Environmental Protection, and that  
505 the final purchase price may not exceed the maximum offer  
506 allowed by law. Any such option contract presented to the board  
507 of trustees for final purchase price approval shall explicitly  
508 state that payment of the final purchase price is subject to an  
509 appropriation from the Legislature. The consideration for such  
510 an option may not exceed \$1,000 or 0.01 percent of the estimate  
511 by the department of the value of the parcel, whichever amount  
512 is greater.

513 (9)~~(7)~~(a) When the owner is represented by an agent or  
514 broker, negotiations may not be initiated or continued until a  
515 written statement verifying such agent's or broker's legal or  
516 fiduciary relationship with the owner is on file with the  
517 agency.

518 (b) The board of trustees or any state agency may contract  
519 for real estate acquisition services, including, but not limited  
520 to, contracts for real estate commission fees, surveying,  
521 mapping, environmental audits, title work, and legal and other  
522 professional assistance to review acquisition agreements and  
523 other documents and to perform acquisition closings. However,  
524 the Department of Environmental Protection may use outside  
525 counsel to review any agreements or documents or to perform

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526 acquisition closings unless department staff can conduct the  
527 same activity in 15 days or less.

528 (c) Upon the initiation of negotiations, the state agency  
529 shall inform the owner in writing that all agreements for  
530 purchase are subject to approval by the board of trustees.

531 (d) All offers or counteroffers shall be documented in  
532 writing and shall be confidential and exempt from ~~the provisions~~  
533 ~~of s. 119.07(1) until an option contract is executed, or if no~~  
534 ~~option contract is executed, until 2 weeks before a contract or~~  
535 ~~agreement for purchase is considered for approval by the board~~  
536 ~~of trustees. The agency shall maintain complete and accurate~~  
537 ~~records of all offers and counteroffers for all projects.~~

538 ~~(c)1. The board of trustees shall adopt by rule the method~~  
539 ~~for determining the value of parcels sought to be acquired by~~  
540 ~~state agencies pursuant to this section. No offer by a state~~  
541 ~~agency, except an offer by an agency acquiring lands pursuant to~~  
542 ~~s. 259.041, may exceed the value for that parcel as determined~~  
543 ~~pursuant to the highest approved appraisal or the value~~  
544 ~~determined pursuant to the rules of the board of trustees,~~  
545 ~~whichever value is less.~~

546 ~~2. In the case of a joint acquisition by a state agency and~~  
547 ~~a local government or other entity apart from the state, the~~  
548 ~~joint purchase price may not exceed 150 percent of the value for~~  
549 ~~a parcel as determined in accordance with the limits prescribed~~  
550 ~~in subparagraph 1. The state agency share of a joint purchase~~  
551 ~~offer may not exceed what the agency may offer singly as~~  
552 ~~prescribed by subparagraph 1.~~

553 ~~3. The provisions of this paragraph do not apply to the~~  
554 ~~acquisition of historically unique or significant property as~~

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555 ~~determined by the Division of Historical Resources of the~~  
556 ~~Department of State.~~

557 (e)~~(f)~~ When making an offer to a landowner, a state agency  
558 shall consider the desirability of a single cash payment in  
559 relation to the maximum offer allowed by law.

560 (f)~~(g)~~ The state shall have the authority to reimburse the  
561 owner for the cost of the survey when deemed appropriate. The  
562 reimbursement is ~~shall~~ not be considered a part of the purchase  
563 price.

564 (g)~~(h)~~ A final offer shall be in the form of an option  
565 contract or agreement for purchase and shall be signed and  
566 attested to by the owner and the representative of the agency.  
567 Before the agency executes the option contract or agreement for  
568 purchase, the contract or agreement shall be reviewed for form  
569 and legality by legal staff of the agency. Before the agency  
570 signs the agreement for purchase or exercises the option  
571 contract, the provisions of s. 286.23 shall be complied with.  
572 Within 10 days after the signing of the agreement for purchase,  
573 the state agency shall furnish the Department of Environmental  
574 Protection ~~Division of State Lands~~ with the original of the  
575 agreement for purchase along with copies of the disclosure  
576 notice, evidence of marketability, the accepted appraisal  
577 report, the fee appraiser's affidavit, a statement that the  
578 inventory of existing state-owned lands was examined and  
579 contained no available suitable land in the area, and a  
580 statement outlining the public purpose for which the acquisition  
581 is being made and the statutory authority therefor.

582 (h)~~(i)~~ Within 45 days after ~~of~~ receipt by the Department of  
583 Environmental Protection ~~Division of State Lands~~ of the

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584 agreement for purchase and the required documentation, the board  
585 of trustees or, if ~~when~~ the purchase price does not exceed  
586 \$100,000, its designee shall ~~either~~ reject or approve the  
587 agreement. An approved agreement for purchase is binding on both  
588 parties. Any agreement which has been disapproved shall be  
589 returned to the agency, along with a statement as to the  
590 deficiencies of the agreement or the supporting documentation.  
591 An agreement for purchase which has been disapproved by the  
592 board of trustees may be resubmitted when such deficiencies have  
593 been corrected.

594 (10) ~~(8)~~ (a) A ~~No~~ dedication, gift, grant, or bequest of  
595 lands and appurtenances may not be accepted by the board of  
596 trustees until the receiving state agency supplies sufficient  
597 evidence of marketability of title. The board of trustees may  
598 not accept by dedication, gift, grant, or bequest any lands and  
599 appurtenances that are determined as being owned by the state  
600 ~~either~~ in fee or by virtue of the state's sovereignty or which  
601 are so encumbered so as to preclude the use of such lands and  
602 appurtenances for any reasonable public purpose. The board of  
603 trustees may accept a dedication, gift, grant, or bequest of  
604 lands and appurtenances without formal evidence of  
605 marketability, or when the title is nonmarketable, if the board  
606 or its designee determines that such lands and appurtenances  
607 have value and are reasonably manageable by the state, and that  
608 their acceptance would serve the public interest. The state is  
609 not required to appraise the value of such donated lands and  
610 appurtenances as a condition of receipt.

611 (b) A ~~No~~ deed filed in the public records to donate lands  
612 to the board of trustees does not ~~of the Internal Improvement~~

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613 ~~Trust Fund shall be construed to transfer title to or vest title~~  
614 ~~in the board of trustees unless there shall also be filed in the~~  
615 ~~public records,~~ a document indicating that the board of trustees  
616 has agreed to accept the transfer of title to such donated lands  
617 is also filed in the public records.

618 (c) Notwithstanding any other provision of law, the maximum  
619 value of a parcel to be purchased by the board of trustees as  
620 determined by the highest approved appraisal or as determined  
621 pursuant to the rules of the board of trustees may not be  
622 increased or decreased as a result of a change in zoning or  
623 permitted land uses, or changes in market forces or prices that  
624 occur within 1 year after the date the Department of  
625 Environmental Protection or the board of trustees approves a  
626 contract to purchase the parcel.

627 (11) Notwithstanding this section, the board of trustees,  
628 by an affirmative vote of at least three members, voting at a  
629 regularly scheduled and advertised meeting, may direct the  
630 Department of Environmental Protection to exercise the power of  
631 eminent domain pursuant to chapters 73 and 74 to acquire any  
632 conservation parcel identified on the acquisition list  
633 established by the Acquisition and Restoration Council and  
634 approved by the board of trustees pursuant to chapter 259.  
635 However, the board of trustees may only make such a vote under  
636 the following circumstances:

637 (a) The state has made at least two bona fide offers to  
638 purchase the land through negotiation and, notwithstanding those  
639 offers, an impasse between the state and the landowner was  
640 reached.

641 (b) The land is of special importance to the state because

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642 of one or more of the following reasons:

643 1. It involves an endangered or natural resource and is in  
644 imminent danger of development.

645 2. It is of unique value to the state and the failure to  
646 acquire it will result in irreparable loss to the state.

647 3. The failure of the state to acquire it will seriously  
648 impair the state's ability to manage or protect other state-  
649 owned lands.

650

651 Pursuant to this subsection, the department may exercise  
652 condemnation authority directly or by contracting with the  
653 Department of Transportation or a water management district to  
654 provide that service. If the Department of Transportation or a  
655 water management district enters into such a contract with the  
656 department, the Department of Transportation or a water  
657 management district may use statutorily approved methods and  
658 procedures ordinarily used by the agency for condemnation  
659 purposes.

660 (12)~~(9)~~ Any conveyance to the board of trustees of fee  
661 title shall be made by no less than a special warranty deed,  
662 unless the conveyance is from the Federal Government, the county  
663 government, or another state agency or, in the event of a gift  
664 or donation by quitclaim deed, if the board of trustees, or its  
665 designee, determines that the acceptance of such quitclaim deed  
666 is in the best interest of the public. A quitclaim deed may also  
667 be accepted to aid in clearing title or boundary questions. ~~The~~  
668 ~~title to lands acquired pursuant to this section shall vest in~~  
669 ~~the board of trustees as provided in s. 253.03(1). All such~~  
670 ~~lands, title to which is vested in the board pursuant to this~~

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671 ~~section, shall be administered pursuant to the provisions of s.~~  
672 ~~253.03.~~

673 (13)~~(10)~~ The board of trustees may purchase tax  
674 certificates or tax deeds issued in accordance with chapter 197  
675 relating to property eligible for purchase under this section.

676 (14)~~(11)~~ The Auditor General shall conduct audits of  
677 acquisitions and divestitures which, according to his or her  
678 preliminary assessments of board-approved acquisitions and  
679 divestitures, he or she deems necessary. These preliminary  
680 assessments shall be initiated not later than 60 days after  
681 ~~following~~ the board of trustees' final approval ~~by the board~~ of  
682 land acquisitions under this section. If an audit is conducted,  
683 the Auditor General shall submit an audit report to the board of  
684 trustees, the President of the Senate, the Speaker of the House  
685 of Representatives, and their designees.

686 (15)~~(12)~~ The board of trustees and all affected agencies  
687 shall adopt and may modify or repeal such rules and regulations  
688 as are necessary to carry out ~~the purposes of~~ this section,  
689 including rules governing the terms and conditions of land  
690 purchases. Such rules shall address the procedures to be  
691 followed, when multiple landowners are involved in an  
692 acquisition, in obtaining written option agreements so that the  
693 interests of the state are fully protected.

694 (16)~~(13)~~ (a) The board of trustees ~~of the Internal~~  
695 ~~Improvement Trust Fund~~ may deed property to the Department of  
696 Agriculture and Consumer Services, so that the Department of  
697 Agriculture and Consumer Services is ~~department~~ shall be able to  
698 sell, convey, transfer, exchange, trade, or purchase land on  
699 which a forestry facility resides for money or other more



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700 suitable property on which to relocate the facility. Any sale or  
701 purchase of property by the Department of Agriculture and  
702 Consumer Services shall follow the requirements of subsections  
703 (7)-(10) and (12) ~~(5)-(9)~~. Any sale shall be at fair market  
704 value, and any trade shall ensure that the state is getting at  
705 least an equal value for the property. Except as provided in  
706 subsections (7)-(10) and (12) ~~(5)-(9)~~, the Department of  
707 Agriculture and Consumer Services is excluded from following the  
708 provisions of this chapter and chapters 259 and 375. This  
709 exclusion does ~~shall~~ not apply to lands acquired for  
710 conservation purposes in accordance with s. 253.0341(1) or (2)  
711 ~~253.034(6)(a) or (b)~~.

712 (b) In the case of a sale by the Department of Agriculture  
713 and Consumer Services of a forestry facility, the proceeds of  
714 the sale shall be deposited ~~go~~ into the Department of  
715 Agriculture and Consumer Services Incidental Trust Fund. The  
716 Legislature may, at the request of the Department of Agriculture  
717 and Consumer Services ~~department~~, appropriate such money within  
718 the trust fund to the Department of Agriculture and Consumer  
719 Services ~~department~~ for purchase of land and construction of a  
720 facility to replace the disposed facility. All proceeds other  
721 than land from any sale, conveyance, exchange, trade, or  
722 transfer conducted pursuant to ~~as provided for in~~ this  
723 subsection shall be deposited into ~~placed within~~ the Department  
724 of Agriculture and Consumer Services ~~department's~~ Incidental  
725 Trust Fund.

726 (c) Additional funds may be added from time to time by the  
727 Legislature to further the relocation and construction of  
728 forestry facilities. If ~~In the instance where~~ an equal trade of

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729 land occurs, money from the trust fund may be appropriated for  
730 building construction even though no money was received from the  
731 trade.

732 (17)~~(14)~~ Any agency that acquires land on behalf of the  
733 board of trustees is authorized to request disbursement of  
734 payments for real estate closings in accordance with a written  
735 authorization from an ultimate beneficiary to allow a third  
736 party authorized by law to receive such payment provided the  
737 Chief Financial Officer determines that such disbursement is  
738 consistent with good business practices and can be completed in  
739 a manner minimizing costs and risks to the state.

740 (18)~~(15)~~ Pursuant to s. 944.10, the Department of  
741 Corrections is responsible for obtaining appraisals and entering  
742 into option agreements and agreements for the purchase of state  
743 correctional facility sites. An option agreement or agreement  
744 for purchase is not binding upon the state until it is approved  
745 by the board of trustees ~~of the Internal Improvement Trust Fund~~.  
746 The provisions of paragraphs (8) (c), (e), and (f) and (9) (b),  
747 (c), and (d) ~~(6) (b), (c), and (d) and (7) (b), (c), and (d)~~ apply  
748 to all appraisals, offers, and counteroffers of the Department  
749 of Corrections for state correctional facility sites.

750 (19)~~(16)~~ Many parcels of land acquired pursuant to this  
751 section may contain cattle-dipping vats as defined in s.  
752 376.301. The state is encouraged to continue with the  
753 acquisition of such lands, including any the cattle-dipping vats  
754 vat.

755 (20)~~(17)~~ Pursuant to s. 985.682, the Department of Juvenile  
756 Justice is responsible for obtaining appraisals and entering  
757 into option agreements and agreements for the purchase of state

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758 juvenile justice facility sites. An option agreement or  
759 agreement for purchase is not binding upon the state until it is  
760 approved by the board of trustees ~~of the Internal Improvement~~  
761 ~~Trust Fund~~. The provisions of paragraphs (8) (c), (e), and (f)  
762 and (9) (b), (c), and (d) ~~(6) (b), (c), and (d) and (7) (b), (c),~~  
763 ~~and (d)~~ apply to all appraisals, offers, and counteroffers of  
764 the Department of Juvenile Justice for state juvenile justice  
765 facility sites.

766 (21) ~~(18)~~ The board of trustees may acquire, pursuant to s.  
767 288.980 (2) (b), nonconservation lands from the annual list  
768 submitted by the Department of Economic Opportunity for the  
769 purpose of buffering a military installation against  
770 encroachment.

771 (22) The board of trustees, by an affirmative vote of at  
772 least three members, may direct the department to purchase lands  
773 on an immediate basis using up to 15 percent of the funds  
774 allocated to the department pursuant to s. 259.105 for the  
775 acquisition of lands that:

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

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

782 (c) Will be developed or otherwise lost to potential public  
783 ownership, or for which federal matching funds will be lost, by  
784 the time the land can be purchased under the program within  
785 which the land is listed for acquisition.

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787 For such acquisitions, the board of trustees may waive or modify  
788 all procedures required for land acquisition pursuant to this  
789 chapter and all competitive bid procedures required pursuant to  
790 chapters 255 and 287. Lands acquired pursuant to this subsection  
791 must, at the time of purchase, be on one of the acquisition  
792 lists established pursuant to chapter 259, or be essential for  
793 water resource development, protection, or restoration, or a  
794 significant portion of the lands must contain natural  
795 communities or plant or animal species that are listed by the  
796 Florida Natural Areas Inventory as critically imperiled,  
797 imperiled, or rare, or as excellent quality occurrences of  
798 natural communities.

799 (23) Title to lands to be held jointly by the board of  
800 trustees and a water management district and acquired pursuant  
801 to s. 373.139 may be deemed to meet the standards necessary for  
802 ownership by the board of trustees, notwithstanding this section  
803 or related rules.

804 Section 2. Section 253.0251, Florida Statutes, is created  
805 to read:

806 253.0251 Alternatives to fee simple acquisition.-

807 (1) The Legislature finds that:

808 (a) With the increasing pressures on the natural areas of  
809 this state and on open space suitable for recreational use, the  
810 state must develop creative techniques to maximize the use of  
811 acquisition and management funds.

812 (b) The state's conservation and recreational land  
813 acquisition agencies should be encouraged to augment their  
814 traditional, fee simple acquisition programs with the use of  
815 alternatives to fee simple acquisition techniques. In addition,

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816 the Legislature finds that generations of private landowners  
817 have been good stewards of their land, protecting or restoring  
818 native habitats and ecosystems to the benefit of the natural  
819 resources of this state, its heritage, and its citizens. The  
820 Legislature also finds that using alternatives to fee simple  
821 acquisition by public land acquisition agencies will achieve the  
822 following public policy goals:

823 1. Allow more lands to be brought under public protection  
824 for preservation, conservation, and recreational purposes with  
825 less expenditure of public funds.

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

828 3. Reduce long-term management costs by allowing private  
829 property owners to continue acting as stewards of their land,  
830 when appropriate.

831  
832 Therefore, it is the intent of the Legislature that public land  
833 acquisition agencies develop programs to pursue alternatives to  
834 fee simple acquisition and to educate private landowners about  
835 such alternatives and the benefits of such alternatives. It is  
836 also the intent of the Legislature that a portion of the shares  
837 of Florida Forever bond proceeds be used to purchase eligible  
838 properties using alternatives to fee simple acquisition.

839 (2) All applications for alternatives to fee simple  
840 acquisition projects shall identify, within their acquisition  
841 plans, projects that require a full fee simple interest to  
842 achieve the public policy goals, together with the reasons full  
843 title is determined to be necessary. The state agencies and the  
844 water management districts may use alternatives to fee simple

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845 acquisition to bring the remaining projects in their acquisition  
846 plans under public protection. For purposes of this section, the  
847 phrase "alternatives to fee simple acquisition" includes, but is  
848 not limited to, purchase of development rights; obtaining  
849 conservation easements; obtaining flowage easements; purchase of  
850 timber rights, mineral rights, or hunting rights; purchase of  
851 agricultural interests or silvicultural interests; fee simple  
852 acquisitions with reservations; creating life estates; or any  
853 other acquisition technique that achieves the public policy  
854 goals listed in subsection (1). It is presumed that a private  
855 landowner retains the full range of uses for all the rights or  
856 interests in the landowner's land which are not specifically  
857 acquired by the public agency. The lands upon which hunting  
858 rights are specifically acquired pursuant to this section shall  
859 be available for hunting in accordance with the management plan  
860 or hunting regulations adopted by the Fish and Wildlife  
861 Conservation Commission, unless the hunting rights are purchased  
862 specifically to protect activities on adjacent lands.

863 (3) When developing the acquisition plan pursuant to s.  
864 259.105, the Acquisition and Restoration Council may give  
865 preference to those less than fee simple acquisitions that  
866 provide any public access. However, the Legislature recognizes  
867 that public access is not always appropriate for certain less  
868 than fee simple acquisitions. Therefore, any proposed less than  
869 fee simple acquisition may not be rejected simply because public  
870 access would be limited.

871 (4) The Department of Environmental Protection, the  
872 Department of Agriculture and Consumer Services, and each water  
873 management district shall implement initiatives for using

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874 alternatives to fee simple acquisition and to educate private  
875 landowners about such alternatives. The Department of  
876 Environmental Protection, the Department of Agriculture and  
877 Consumer Services, and the water management districts may enter  
878 into joint acquisition agreements to jointly fund the purchase  
879 of lands using alternatives to fee simple techniques.

880 (5) The Legislature finds that the lack of direct sales  
881 comparison information has served as an impediment to successful  
882 implementation of alternatives to fee simple acquisition. It is  
883 the intent of the Legislature that, in the absence of direct  
884 comparable sales information, appraisals of alternatives to fee  
885 simple acquisitions be based on the difference between the full  
886 fee simple valuation and the value of the interests remaining  
887 with the seller after acquisition.

888 (6) The public agency that has been assigned management  
889 responsibility shall inspect and monitor any less than fee  
890 simple interest according to the terms of the purchase agreement  
891 relating to such interest.

892 (7) For less than fee simple acquisitions pursuant to s.  
893 570.71, the Department of Agriculture and Consumer Services  
894 shall comply with the acquisition procedures set forth in s.  
895 570.715.

896 Section 3. Subsection (2), paragraph (c) of subsection (7),  
897 and subsections (11) and (15) of section 253.03, Florida  
898 Statutes, are amended to read:

899 253.03 Board of trustees to administer state lands; lands  
900 enumerated.—

901 (2) It is the intent of the Legislature that the board of  
902 ~~trustees of the Internal Improvement Trust Fund~~ continue to

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903 receive proceeds from the sale or disposition of the products of  
904 lands and the sale of lands of which the use and possession are  
905 not subsequently transferred by appropriate lease or similar  
906 instrument from the board of trustees to the proper using  
907 agency. Such using agency shall be entitled to the proceeds from  
908 the sale of products on, under, growing out of, or connected  
909 with lands which such using agency holds under lease or similar  
910 instrument from the board of trustees. The board of trustees ~~of~~  
911 ~~the Internal Improvement Trust Fund~~ is directed and authorized  
912 to enter into leases or similar instruments for the use,  
913 benefit, and possession of public lands by agencies which may  
914 properly use and possess them for the benefit of the state. ~~The~~  
915 ~~board of trustees shall adopt by rule an annual administrative~~  
916 ~~fee for all existing and future leases or similar instruments,~~  
917 ~~to be charged agencies that are leasing land from it. This~~  
918 ~~annual administrative fee assessed for all leases or similar~~  
919 ~~instruments is to compensate the board for costs incurred in the~~  
920 ~~administration and management of such leases or similar~~  
921 ~~instruments.~~

922 (7)

923 (c) Structures which are listed in or are eligible for the  
924 National Register of Historic Places or the State Inventory of  
925 Historic Places which are over the waters of the state ~~of~~  
926 ~~Florida~~ and which have a submerged land lease, or have been  
927 grandfathered-in to use sovereignty submerged lands until  
928 January 1, 1998, pursuant to former rule 18-21.00405, Florida  
929 Administrative Code, as it existed in rule on March 15, 1990,  
930 shall have the right to continue such submerged land leases,  
931 regardless of the fact that the present landholder is not an



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932 adjacent riparian landowner, so long as the lessee maintains the  
933 structure in a good state of repair consistent with the  
934 guidelines for listing. If the structure is damaged or  
935 destroyed, the lessee may ~~shall be allowed to~~ reconstruct, so  
936 long as the reconstruction is consistent with the integrity of  
937 the listed structure and does not increase the footprint of the  
938 structure. If a listed structure ~~so listed~~ falls into disrepair  
939 and the lessee is not willing to repair and maintain it  
940 consistent with its listing, the state may cancel the submerged  
941 lease and ~~either~~ repair and maintain the property or require  
942 that the structure be removed from sovereignty submerged lands.

943 (11) The board of trustees ~~of the Internal Improvement~~  
944 ~~Trust Fund~~ may adopt rules to provide for the assessment and  
945 collection of reasonable fees, commensurate with the actual cost  
946 to the board, for disclaimers, easements, exchanges, gifts,  
947 leases, releases, or sales of any interest in lands or any  
948 applications therefor and for reproduction of documents. All  
949 revenues received from the application fees charged by a water  
950 management district to process applications that include a  
951 request to use state lands are to be retained by the water  
952 management district. The board of trustees shall adopt by rule  
953 an annual administrative fee for all existing and future leases  
954 or similar instruments to be charged to agencies that are  
955 leasing land from the board of trustees. This annual  
956 administrative fee assessed for all leases or similar  
957 instruments is to compensate the board of trustees for costs  
958 incurred in the administration and management of such leases or  
959 similar instruments.

960 (15) The board of trustees ~~of the Internal Improvement~~

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961 ~~Trust Fund~~ shall encourage the use of sovereign submerged lands  
962 for public access and water-dependent uses which may include  
963 related minimal secondary nonwater-dependent uses and public  
964 access.

965 Section 4. Present subsections (8) and (9) of section  
966 253.031, Florida Statutes, are renumbered as subsections (7) and  
967 (8), respectively, and present subsections (2) and (7) of that  
968 section are amended, to read:

969 253.031 Land office; custody of documents concerning land;  
970 moneys; plats.—

971 (2) The board ~~of trustees of the Internal Improvement Trust~~  
972 ~~Fund~~ shall have custody of, and the department shall maintain,  
973 all the records, surveys, plats, maps, field notes, and patents  
974 and all other evidence touching the title and description of the  
975 public domain.

976 ~~(7) The board shall receive all of the tract books, plats,~~  
977 ~~and such records and papers heretofore kept in the United States~~  
978 ~~Land Office at Gainesville, Alachua County, as may be~~  
979 ~~surrendered by the Secretary of the Interior; and the board~~  
980 ~~shall carefully and safely keep and preserve all of said tract~~  
981 ~~books, plats, records, and papers as part of the public records~~  
982 ~~of its office, and at any time allow any duly accredited~~  
983 ~~authority of the United States, full and free access to any and~~  
984 ~~all of such tract books, plats, records, and papers, and shall~~  
985 ~~furnish any duly accredited authority of the United States with~~  
986 ~~copies of any such records without charge.~~

987 Section 5. Section 253.034, Florida Statutes, is amended to  
988 read:

989 253.034 State-owned lands; uses.—

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990 (1) All lands acquired pursuant to chapter 259 shall be  
991 managed to serve the public interest by protecting and  
992 conserving land, air, water, and the state's natural resources,  
993 which contribute to the public health, welfare, and economy of  
994 the state. These lands shall be managed to provide for areas of  
995 natural resource based recreation, and to ensure the survival of  
996 plant and animal species and the conservation of finite and  
997 renewable natural resources. The state's lands and natural  
998 resources shall be managed using a stewardship ethic that  
999 assures these resources will be available for the benefit and  
1000 enjoyment of all people of the state, both present and future.  
1001 It is the intent of the Legislature that, where feasible and  
1002 consistent with the goals of protection and conservation of  
1003 natural resources associated with lands held in the public trust  
1004 by the Board of Trustees of the Internal Improvement Trust Fund,  
1005 public land not designated for single-use purposes pursuant to  
1006 paragraph (2) (b) be managed for multiple-use purposes. All  
1007 multiple-use land management strategies shall address public  
1008 access and enjoyment, resource conservation and protection,  
1009 ecosystem maintenance and protection, and protection of  
1010 threatened and endangered species, and the degree to which  
1011 public-private partnerships or endowments may allow the entity  
1012 with management responsibility to enhance its ability to manage  
1013 these lands. The Acquisition and Restoration Council ~~created in~~  
1014 ~~s. 259.035~~ shall recommend rules to the board of trustees, and  
1015 the board of trustees shall adopt rules necessary to carry out  
1016 the purposes of this section.

1017 (2) As used in this section, the term ~~following phrases~~  
1018 ~~have the following meanings:~~

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1019 (a) "Multiple use" means the harmonious and coordinated  
1020 management of timber, recreation, conservation of fish and  
1021 wildlife, forage, archaeological and historic sites, habitat and  
1022 other biological resources, or water resources so that they are  
1023 used ~~utilized~~ in the combination that will best serve the people  
1024 of the state, making the most judicious use of the land for some  
1025 or all of these resources and giving consideration to the  
1026 relative values of the various resources. Where necessary and  
1027 appropriate for all state-owned lands that are larger than 1,000  
1028 acres in project size and are managed for multiple uses, buffers  
1029 may be formed around any areas that require special protection  
1030 or have special management needs. Such buffers may ~~shall~~ not  
1031 exceed more than one-half of the total acreage. Multiple uses  
1032 within a buffer area may be restricted to provide the necessary  
1033 buffering effect desired. Multiple use in this context includes  
1034 both uses of land or resources by more than one management  
1035 entity, which may include private sector land managers. In any  
1036 case, lands identified as multiple-use lands in the land  
1037 management plan shall be managed to enhance and conserve the  
1038 lands and resources for the enjoyment of the people of the  
1039 state.

1040 (b) "Single use" means management for one particular  
1041 purpose to the exclusion of all other purposes, except that the  
1042 using entity shall have the option of including in its  
1043 management program compatible secondary purposes which will not  
1044 detract from or interfere with the primary management purpose.  
1045 Such single uses may include, but are not necessarily restricted  
1046 to, the use of agricultural lands for production of food and  
1047 livestock, the use of improved sites and grounds for

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1048 institutional purposes, and the use of lands for parks,  
1049 preserves, wildlife management, archaeological or historic  
1050 sites, or wilderness areas where the maintenance of essentially  
1051 natural conditions is important. All submerged lands shall be  
1052 considered single-use lands and shall be managed primarily for  
1053 the maintenance of essentially natural conditions, the  
1054 propagation of fish and wildlife, and public recreation,  
1055 including hunting and fishing where deemed appropriate by the  
1056 managing entity.

1057 (c) "Conservation lands" means lands that are currently  
1058 managed for conservation, outdoor resource-based recreation, or  
1059 archaeological or historic preservation, except those lands that  
1060 were acquired solely to facilitate the acquisition of other  
1061 conservation lands. Lands acquired for uses other than  
1062 conservation, outdoor resource-based recreation, or  
1063 archaeological or historic preservation may ~~shall~~ not be  
1064 designated conservation lands except as otherwise authorized  
1065 under this section. These lands shall include, but not be  
1066 limited to, the following: correction and detention facilities,  
1067 military installations and facilities, state office buildings,  
1068 maintenance yards, state university or Florida College System  
1069 institution campuses, agricultural field stations or offices,  
1070 tower sites, law enforcement and license facilities,  
1071 laboratories, hospitals, clinics, and other sites that do not  
1072 possess ~~ne~~ significant natural or historical resources. However,  
1073 lands acquired solely to facilitate the acquisition of other  
1074 conservation lands, and for which the land management plan has  
1075 not yet been completed or updated, may be evaluated by the Board  
1076 of Trustees of the Internal Improvement Trust Fund on a case-by-

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1077 case basis to determine if they will be designated conservation  
1078 lands.

1079 (d) "Public access," as used in this chapter and chapter  
1080 259, means access by the general public to state lands and  
1081 water, including vessel access made possible by boat ramps,  
1082 docks, and associated support facilities, where compatible with  
1083 conservation and recreation objectives.

1084  
1085 Lands acquired by the state as a gift, through donation, or by  
1086 any other conveyance for which no consideration was paid, and  
1087 which are not managed for conservation, outdoor resource-based  
1088 recreation, or archaeological or historic preservation under a  
1089 land management plan approved by the board of trustees are not  
1090 conservation lands.

1091 (3) Recognizing that recreational trails purchased with  
1092 rails-to-trails funds pursuant to former s. 259.101(3)(g),  
1093 Florida Statutes 2014, or s. 259.105(3)(h) have had historic  
1094 transportation uses and that their linear character may extend  
1095 many miles, the Legislature intends that if the necessity arises  
1096 to serve public needs, after balancing the need to protect trail  
1097 users from collisions with automobiles and a preference for the  
1098 use of overpasses and underpasses to the greatest extent  
1099 feasible and practical, transportation uses shall be allowed to  
1100 cross recreational trails purchased pursuant to former s.  
1101 259.101(3)(g), Florida Statutes 2014, or s. 259.105(3)(h). When  
1102 these crossings are needed, the location and design should  
1103 consider and mitigate the impact on humans and environmental  
1104 resources, and the value of the land shall be paid based on fair  
1105 market value.

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1106 (4) ~~A No~~ management agreement, lease, or other instrument  
1107 authorizing the use of lands owned by the board of trustees may  
1108 not of the Internal Improvement Trust Fund shall be executed for  
1109 a period greater than is necessary to provide for the reasonable  
1110 use of the land for the existing or planned life cycle or  
1111 amortization of the improvements, except that an easement in  
1112 perpetuity may be granted by the board of trustees ~~of the~~  
1113 ~~Internal Improvement Trust Fund~~ if the improvement is a  
1114 transportation facility. If an entity managing or leasing state-  
1115 owned lands from the board of trustees does not meet the short-  
1116 term goals under paragraph (5) (b) for conservation lands, the  
1117 Department of Environmental Protection may submit the lands to  
1118 the Acquisition and Restoration Council to review whether the  
1119 short-term goals should be modified, consider whether the lands  
1120 should be offered to another entity for management or leasing,  
1121 or recommend to the board of trustees whether to surplus the  
1122 lands. If an entity managing or leasing state-owned lands from  
1123 the board of trustees does not meet the short-term goals under  
1124 paragraph (5) (i) for nonconservation lands, the department may  
1125 submit the lands to the board of trustees to consider whether to  
1126 require the managing or leasing entity to release its interest  
1127 in the lands and to consider whether to surplus the lands. If  
1128 the state-owned lands are determined to be surplus, the board of  
1129 trustees may require an entity to release its interest in the  
1130 lands. An entity managing or leasing state-owned lands from the  
1131 board of trustees may not sublease such lands without prior  
1132 review by the Division of State Lands and, for conservation  
1133 lands, by the Acquisition and Restoration Council ~~created in s.~~  
1134 259.035. All management agreements, leases, or other instruments

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1135 authorizing the use of lands owned by the board of trustees  
1136 shall be reviewed for approval by the board of trustees or its  
1137 designee. The council is not required to review subleases of  
1138 parcels which are less than 160 acres in size.

1139 (5) Each manager of conservation lands shall submit to the  
1140 Division of State Lands a land management plan at least every 10  
1141 years in a form and manner adopted ~~prescribed~~ by rule of ~~by~~ the  
1142 board of trustees and in accordance with ~~the provisions of s.~~  
1143 259.032. Each manager of conservation lands shall also update a  
1144 land management plan whenever the manager proposes to add new  
1145 facilities or make substantive land use or management changes  
1146 that were not addressed in the approved plan, or within 1 year  
1147 after ~~of~~ the addition of significant new lands. Each manager of  
1148 nonconservation lands shall submit to the Division of State  
1149 Lands a land use plan at least every 10 years in a form and  
1150 manner adopted ~~prescribed~~ by rule of ~~by~~ the board of trustees.  
1151 The division shall review each plan for compliance with the  
1152 requirements of this subsection and the requirements of the  
1153 rules adopted ~~established~~ by the board of trustees pursuant to  
1154 this section. All nonconservation land use plans, whether for  
1155 single-use or multiple-use properties, shall be managed to  
1156 provide the greatest benefit to the state ~~include an analysis of~~  
1157 ~~the property to determine if any significant natural or cultural~~  
1158 ~~resources are located on the property. Such resources include~~  
1159 ~~archaeological and historic sites, state and federally listed~~  
1160 ~~plant and animal species, and imperiled natural communities and~~  
1161 ~~unique natural features. If such resources occur on the~~  
1162 ~~property, the manager shall consult with the Division of State~~  
1163 ~~Lands and other appropriate agencies to develop management~~



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1164 ~~strategies to protect such resources. Land use plans shall also~~  
1165 ~~provide for the control of invasive nonnative plants and~~  
1166 ~~conservation of soil and water resources, including a~~  
1167 ~~description of how the manager plans to control and prevent soil~~  
1168 ~~erosion and soil or water contamination. Land use plans~~  
1169 ~~submitted by a manager shall include reference to appropriate~~  
1170 ~~statutory authority for such use or uses and shall conform to~~  
1171 ~~the appropriate policies and guidelines of the state land~~  
1172 ~~management plan. Plans for managed areas larger than 1,000 acres~~  
1173 ~~shall contain an analysis of the multiple-use potential of the~~  
1174 ~~property, which includes analysis shall include the potential of~~  
1175 ~~the property to generate revenues to enhance the management of~~  
1176 ~~the property. In addition ~~Additionally,~~ the plan shall contain~~  
1177 ~~an analysis of the potential use of private land managers to~~  
1178 ~~facilitate the restoration or management of these lands. If ~~in~~~~  
1179 ~~those cases where~~ a newly acquired property has a valid  
1180 conservation plan that was developed by a soil and conservation  
1181 district, such plan shall be used to guide management of the  
1182 property until a formal land use plan is completed.

1183 (a) State conservation lands shall be managed to ensure the  
1184 conservation of the state's plant and animal species and to  
1185 ensure the accessibility of state lands for the benefit and  
1186 enjoyment of all people of the state, both present and future.  
1187 Each land management plan for state conservation lands shall  
1188 provide a desired outcome, describe both short-term and long-  
1189 term management goals, and include measurable objectives to  
1190 achieve those goals. Short-term goals shall be achievable within  
1191 a 2-year planning period, and long-term goals shall be  
1192 achievable within a 10-year planning period. These short-term

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1193 and long-term management goals shall be the basis for all  
1194 subsequent land management activities.

1195 (b) Short-term and long-term management goals for state  
1196 conservation lands shall include measurable objectives for the  
1197 following, as appropriate:

- 1198 1. Habitat restoration and improvement.
- 1199 2. Public access and recreational opportunities.
- 1200 3. Hydrological preservation and restoration.
- 1201 4. Sustainable forest management.
- 1202 5. Exotic and invasive species maintenance and control.
- 1203 6. Capital facilities and infrastructure.
- 1204 7. Cultural and historical resources.
- 1205 8. Imperiled species habitat maintenance, enhancement,  
1206 restoration, or population restoration.

1207 (c) The land management plan shall, at a minimum, contain  
1208 the following elements:

- 1209 1. A physical description of the land.
- 1210 2. A quantitative data description of the land which  
1211 includes an inventory of forest and other natural resources;  
1212 exotic and invasive plants; hydrological features;  
1213 infrastructure, including recreational facilities; and other  
1214 significant land, cultural, or historical features. The  
1215 inventory shall reflect the number of acres for each resource  
1216 and feature, when appropriate. The inventory shall be of such  
1217 detail that objective measures and benchmarks can be established  
1218 for each tract of land and monitored during the lifetime of the  
1219 plan. All quantitative data collected shall be aggregated,  
1220 standardized, collected, and presented in an electronic format  
1221 to allow for uniform management reporting and analysis. The

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1222 information collected by the Department of Environmental  
1223 Protection pursuant to s. 253.0325(2) shall be available to the  
1224 land manager and his or her assignee.

1225 3. A detailed description of each short-term and long-term  
1226 land management goal, the associated measurable objectives, and  
1227 the related activities that are to be performed to meet the land  
1228 management objectives. Each land management objective must be  
1229 addressed by the land management plan, and if ~~where~~ practicable,  
1230 a ~~no~~ land management objective may not ~~shall~~ be performed to the  
1231 detriment of the other land management objectives.

1232 4. A schedule of land management activities which contains  
1233 short-term and long-term land management goals and the related  
1234 measurable objective and activities. The schedule shall include  
1235 for each activity a timeline for completion, quantitative  
1236 measures, and detailed expense and manpower budgets. The  
1237 schedule shall provide a management tool that facilitates  
1238 development of performance measures.

1239 5. A summary budget for the scheduled land management  
1240 activities of the land management plan. For state lands  
1241 containing or anticipated to contain imperiled species habitat,  
1242 the summary budget shall include any fees anticipated from  
1243 public or private entities for projects to offset adverse  
1244 impacts to imperiled species or such habitat, which fees shall  
1245 be used solely to restore, manage, enhance, repopulate, or  
1246 acquire imperiled species habitat. The summary budget shall be  
1247 prepared in such manner that it facilitates computing an  
1248 aggregate of land management costs for all state-managed lands  
1249 using the categories described in s. 259.037(3).

1250 (d) Upon completion, the land management plan must ~~will~~ be

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1251 transmitted to the Acquisition and Restoration Council for  
1252 review. The ~~Acquisition and Restoration~~ council shall have 90  
1253 days after receipt of the plan to review the plan and submit its  
1254 recommendations to the board of trustees. During the review  
1255 period, the land management plan may be revised if agreed to by  
1256 the primary land manager and the ~~Acquisition and Restoration~~  
1257 council taking into consideration public input. ~~If the~~  
1258 ~~Acquisition and Restoration Council fails to make a~~  
1259 ~~recommendation for a land management plan, the secretary of the~~  
1260 ~~Department of Environmental Protection, Commissioner of~~  
1261 ~~Agriculture, or Executive Director of the Fish and Wildlife~~  
1262 ~~Conservation Commission or their designees shall submit the land~~  
1263 ~~management plan to the board of trustees.~~ The land management  
1264 plan becomes effective upon approval by the board of trustees.

1265 (e) Land management plans are to be updated every 10 years  
1266 on a rotating basis. Each updated land management plan must  
1267 identify any conservation lands under the plan, in part or in  
1268 whole, that are no longer needed for conservation purposes and  
1269 could be disposed of in fee simple or with the state retaining a  
1270 permanent conservation easement.

1271 (f) In developing land management plans, at least one  
1272 public hearing shall be held in any one affected county.

1273 (g) The Division of State Lands shall make available to the  
1274 public an electronic copy of each land management plan for  
1275 parcels that exceed 160 acres in size. The ~~division of State~~  
1276 ~~Lands~~ shall review each plan for compliance with the  
1277 requirements of this subsection, the requirements of chapter  
1278 259, and the requirements of the rules adopted ~~established~~ by  
1279 the board of trustees pursuant to this section. The Acquisition

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1280 and Restoration Council shall also consider the propriety of the  
1281 recommendations of the managing entity with regard to the future  
1282 use of the property, the protection of fragile or nonrenewable  
1283 resources, the potential for alternative or multiple uses not  
1284 recognized by the managing entity, and the possibility of  
1285 disposal of the property by the board of trustees. After its  
1286 review, the council shall submit the plan, along with its  
1287 recommendations and comments, to the board of trustees. The  
1288 council shall specifically recommend to the board of trustees  
1289 whether to approve the plan as submitted, approve the plan with  
1290 modifications, or reject the plan. If the ~~Acquisition and~~  
1291 ~~Restoration~~ council fails to make a recommendation for a land  
1292 management plan, the Secretary ~~of the Department~~ of  
1293 Environmental Protection, Commissioner of Agriculture, or  
1294 executive director of the Fish and Wildlife Conservation  
1295 Commission or their designees shall submit the land management  
1296 plan to the board of trustees.

1297 (h) The board of trustees ~~of the Internal Improvement Trust~~  
1298 ~~Fund~~ shall consider the land management plan submitted by each  
1299 entity and the recommendations of the Acquisition and  
1300 Restoration Council and the Division of State Lands and shall  
1301 approve the plan with or without modification or reject such  
1302 plan. The use or possession of any such lands that is not in  
1303 accordance with an approved land management plan is subject to  
1304 termination by the board of trustees.

1305 (i)1. State nonconservation lands shall be managed to  
1306 provide the greatest benefit to the state. State nonconservation  
1307 lands may be grouped by similar land use types under one land  
1308 use plan. Each land use plan shall, at a minimum, contain the

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1309 following elements:

1310 a. A physical description of the land to include any  
1311 significant natural or cultural resources as well as management  
1312 strategies developed by the land manager to protect such  
1313 resources.

1314 b. A desired development outcome.

1315 c. A schedule for achieving the desired development  
1316 outcome.

1317 d. A description of both short-term and long-term  
1318 development goals.

1319 e. A management and control plan for invasive nonnative  
1320 plants.

1321 f. A management and control plan for soil erosion and soil  
1322 and water contamination.

1323 g. Measureable objectives to achieve the goals identified  
1324 in the land use plan.

1325 2. Short-term goals shall be achievable within a 5-year  
1326 planning period and long-term goals shall be achievable within a  
1327 10-year planning period.

1328 3. The use or possession of any such lands that is not in  
1329 accordance with an approved land use plan is subject to  
1330 termination by the board of trustees.

1331 4. Land use plans submitted by a manager shall include  
1332 reference to appropriate statutory authority for such use or  
1333 uses and shall conform to the appropriate policies and  
1334 guidelines of the state land management plan.

1335 ~~(6) The Board of Trustees of the Internal Improvement Trust~~  
1336 ~~Fund shall determine which lands, the title to which is vested~~  
1337 ~~in the board, may be surplusued. For conservation lands, the~~

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1338 ~~board shall determine whether the lands are no longer needed for~~  
1339 ~~conservation purposes and may dispose of them by an affirmative~~  
1340 ~~vote of at least three members. In the case of a land exchange~~  
1341 ~~involving the disposition of conservation lands, the board must~~  
1342 ~~determine by an affirmative vote of at least three members that~~  
1343 ~~the exchange will result in a net positive conservation benefit.~~  
1344 ~~For all other lands, the board shall determine whether the lands~~  
1345 ~~are no longer needed and may dispose of them by an affirmative~~  
1346 ~~vote of at least three members.~~

1347 ~~(a) For the purposes of this subsection, all lands acquired~~  
1348 ~~by the state before July 1, 1999, using proceeds from~~  
1349 ~~Preservation 2000 bonds, the former Conservation and Recreation~~  
1350 ~~Lands Trust Fund, the former Water Management Lands Trust Fund,~~  
1351 ~~Environmentally Endangered Lands Program, and the Save Our Coast~~  
1352 ~~Program and titled to the board which are identified as core~~  
1353 ~~parcels or within original project boundaries are deemed to have~~  
1354 ~~been acquired for conservation purposes.~~

1355 ~~(b) For any lands purchased by the state on or after July~~  
1356 ~~1, 1999, before acquisition, the board must determine which~~  
1357 ~~parcels must be designated as having been acquired for~~  
1358 ~~conservation purposes. Lands acquired for use by the Department~~  
1359 ~~of Corrections, the Department of Management Services for use as~~  
1360 ~~state offices, the Department of Transportation, except those~~  
1361 ~~specifically managed for conservation or recreation purposes, or~~  
1362 ~~the State University System or the Florida College System may~~  
1363 ~~not be designated as having been purchased for conservation~~  
1364 ~~purposes.~~

1365 ~~(c) At least every 10 years, as a component of each land~~  
1366 ~~management plan or land use plan and in a form and manner~~

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1367 ~~prescribed by rule by the board, each manager shall evaluate and~~  
1368 ~~indicate to the board those lands that are not being used for~~  
1369 ~~the purpose for which they were originally leased. For~~  
1370 ~~conservation lands, the council shall review and recommend to~~  
1371 ~~the board whether such lands should be retained in public~~  
1372 ~~ownership or disposed of by the board. For nonconservation~~  
1373 ~~lands, the division shall review such lands and recommend to the~~  
1374 ~~board whether such lands should be retained in public ownership~~  
1375 ~~or disposed of by the board.~~

1376 ~~(d) Lands owned by the board which are not actively managed~~  
1377 ~~by any state agency or for which a land management plan has not~~  
1378 ~~been completed pursuant to subsection (5) must be reviewed by~~  
1379 ~~the council or its successor for its recommendation as to~~  
1380 ~~whether such lands should be disposed of by the board.~~

1381 ~~(e) Before any decision by the board to surplus lands, the~~  
1382 ~~Acquisition and Restoration Council shall review and make~~  
1383 ~~recommendations to the board concerning the request for~~  
1384 ~~surplusing. The council shall determine whether the request for~~  
1385 ~~surplusing is compatible with the resource values of and~~  
1386 ~~management objectives for such lands.~~

1387 ~~(f) In reviewing lands owned by the board, the council~~  
1388 ~~shall consider whether such lands would be more appropriately~~  
1389 ~~owned or managed by the county or other unit of local government~~  
1390 ~~in which the land is located. The council shall recommend to the~~  
1391 ~~board whether a sale, lease, or other conveyance to a local~~  
1392 ~~government would be in the best interests of the state and local~~  
1393 ~~government. The provisions of this paragraph in no way limit the~~  
1394 ~~provisions of ss. 253.111 and 253.115. Such lands shall be~~  
1395 ~~offered to the state, county, or local government for a period~~



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1396 of 45 days. Permittable uses for such surplus lands may include  
1397 public schools; public libraries; fire or law enforcement  
1398 substations; governmental, judicial, or recreational centers;  
1399 and affordable housing meeting the criteria of s. 420.0004(3).  
1400 County or local government requests for surplus lands shall be  
1401 expedited throughout the surplus process. If the county or  
1402 local government does not elect to purchase such lands in  
1403 accordance with s. 253.111, any surplus determination  
1404 involving other governmental agencies shall be made when the  
1405 board decides the best public use of the lands. Surplus  
1406 properties in which governmental agencies have expressed no  
1407 interest must then be available for sale on the private market.

1408 (g) The sale price of lands determined to be surplus  
1409 pursuant to this subsection and s. 253.82 shall be determined by  
1410 the division, which shall consider an appraisal of the property,  
1411 or, if the estimated value of the land is \$500,000 or less, a  
1412 comparable sales analysis or a broker's opinion of value. The  
1413 division may require a second appraisal. The individual or  
1414 entity that requests to purchase the surplus parcel shall pay  
1415 all costs associated with determining the property's value, if  
1416 any.

1417 1. A written valuation of land determined to be surplus  
1418 pursuant to this subsection and s. 253.82, and related documents  
1419 used to form the valuation or which pertain to the valuation,  
1420 are confidential and exempt from s. 119.07(1) and s. 24(a), Art.  
1421 I of the State Constitution.

1422 a. The exemption expires 2 weeks before the contract or  
1423 agreement regarding the purchase, exchange, or disposal of the  
1424 surplus land is first considered for approval by the board.

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1425 ~~b. Before expiration of the exemption, the division may~~  
1426 ~~disclose confidential and exempt appraisals, valuations, or~~  
1427 ~~valuation information regarding surplus land:~~

1428 ~~(I) During negotiations for the sale or exchange of the~~  
1429 ~~land.~~

1430 ~~(II) During the marketing effort or bidding process~~  
1431 ~~associated with the sale, disposal, or exchange of the land to~~  
1432 ~~facilitate closure of such effort or process.~~

1433 ~~(III) When the passage of time has made the conclusions of~~  
1434 ~~value invalid.~~

1435 ~~(IV) When negotiations or marketing efforts concerning the~~  
1436 ~~land are concluded.~~

1437 ~~2. A unit of government that acquires title to lands~~  
1438 ~~hereunder for less than appraised value may not sell or transfer~~  
1439 ~~title to all or any portion of the lands to any private owner~~  
1440 ~~for 10 years. Any unit of government seeking to transfer or sell~~  
1441 ~~lands pursuant to this paragraph must first allow the board of~~  
1442 ~~trustees to reacquire such lands for the price at which the~~  
1443 ~~board sold such lands.~~

1444 ~~(h) Parcels with a market value over \$500,000 must be~~  
1445 ~~initially offered for sale by competitive bid. The division may~~  
1446 ~~use agents, as authorized by s. 253.431, for this process. Any~~  
1447 ~~parcels unsuccessfully offered for sale by competitive bid, and~~  
1448 ~~parcels with a market value of \$500,000 or less, may be sold by~~  
1449 ~~any reasonable means, including procuring real estate services,~~  
1450 ~~open or exclusive listings, competitive bid, auction, negotiated~~  
1451 ~~direct sales, or other appropriate services, to facilitate the~~  
1452 ~~sale.~~

1453 ~~(i) After reviewing the recommendations of the council, the~~

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1454 ~~board shall determine whether lands identified for surplus are~~  
1455 ~~to be held for other public purposes or are no longer needed.~~  
1456 ~~The board may require an agency to release its interest in such~~  
1457 ~~lands. A state agency, county, or local government that has~~  
1458 ~~requested the use of a property that was to be declared as~~  
1459 ~~surplus must secure the property under lease within 90 days~~  
1460 ~~after being notified that it may use such property.~~

1461 ~~(j) Requests for surplusing may be made by any public or~~  
1462 ~~private entity or person. All requests shall be submitted to the~~  
1463 ~~lead managing agency for review and recommendation to the~~  
1464 ~~council or its successor. Lead managing agencies have 90 days to~~  
1465 ~~review such requests and make recommendations. Any surplusing~~  
1466 ~~requests that have not been acted upon within the 90-day time~~  
1467 ~~period shall be immediately scheduled for hearing at the next~~  
1468 ~~regularly scheduled meeting of the council or its successor.~~  
1469 ~~Requests for surplusing pursuant to this paragraph are not~~  
1470 ~~required to be offered to local or state governments as provided~~  
1471 ~~in paragraph (f).~~

1472 ~~(k) Proceeds from the sale of surplus conservation lands~~  
1473 ~~purchased before July 1, 2015, shall be deposited into the~~  
1474 ~~Florida Forever Trust Fund.~~

1475 ~~(l) Proceeds from the sale of surplus conservation lands~~  
1476 ~~purchased on or after July 1, 2015, shall be deposited into the~~  
1477 ~~Land Acquisition Trust Fund, except when such lands were~~  
1478 ~~purchased with funds other than those from the Land Acquisition~~  
1479 ~~Trust Fund or a land acquisition trust fund created to implement~~  
1480 ~~s. 28, Art. X of the State Constitution, the proceeds shall be~~  
1481 ~~deposited into the fund from which the lands were purchased.~~

1482 ~~(m) Funds received from the sale of surplus nonconservation~~

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1483 ~~lands or lands that were acquired by gift, by donation, or for~~  
1484 ~~no consideration shall be deposited into the Internal~~  
1485 ~~Improvement Trust Fund.~~

1486 ~~(n) Notwithstanding this subsection, such disposition of~~  
1487 ~~land may not be made if it would have the effect of causing all~~  
1488 ~~or any portion of the interest on any revenue bonds issued to~~  
1489 ~~lose the exclusion from gross income for federal income tax~~  
1490 ~~purposes.~~

1491 ~~(o) The sale of filled, formerly submerged land that does~~  
1492 ~~not exceed 5 acres in area is not subject to review by the~~  
1493 ~~council or its successor.~~

1494 ~~(p) The board may adopt rules to administer this section~~  
1495 ~~which may include procedures for administering surplus land~~  
1496 ~~requests and criteria for when the division may approve requests~~  
1497 ~~to surplus nonconservation lands on behalf of the board.~~

1498 ~~(6)(7)~~ This section does shall not be construed so as to  
1499 affect:

1500 (a) Other provisions of this chapter relating to oil, gas,  
1501 or mineral resources.

1502 (b) The exclusive use of state-owned land subject to a  
1503 lease by the board of trustees ~~of the Internal Improvement Trust~~  
1504 ~~Fund~~ of state-owned land for private uses and purposes.

1505 (c) Sovereignty lands not leased for private uses and  
1506 purposes.

1507 ~~(7)(8)~~(a) The Legislature recognizes the value of the  
1508 state's conservation lands as water recharge areas and air  
1509 filters.

1510 (b) If state-owned lands are subject to annexation  
1511 procedures, the Division of State Lands must notify the county

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1512 legislative delegation of the county in which the land is  
1513 located.

1514 ~~(8)(9)~~ Land management plans required to be submitted by  
1515 the Department of Corrections, the Department of Juvenile  
1516 Justice, the Department of Children and Families, or the  
1517 Department of Education are not subject to ~~the provisions for~~  
1518 review by the Acquisition and Restoration Council ~~or its~~  
1519 ~~successor described in subsection (5)~~. Management plans filed by  
1520 these agencies shall be made available to the public for a  
1521 period of 90 days at the administrative offices of the parcel or  
1522 project affected by the management plan and at the Tallahassee  
1523 offices of each agency. Any plans not objected to during the  
1524 public comment period shall be deemed approved. Any plans for  
1525 which an objection is filed shall be submitted to the board of  
1526 trustees ~~of the Internal Improvement Trust Fund~~ for  
1527 consideration. The board of trustees ~~of the Internal Improvement~~  
1528 ~~Trust Fund~~ shall approve the plan with or without modification,  
1529 or reject the plan. The use or possession of any such lands  
1530 which is not in accordance with an approved land management plan  
1531 is subject to termination by the board of trustees.

1532 ~~(9)(10)~~ The following additional uses of conservation lands  
1533 acquired pursuant to the Florida Forever program and other  
1534 state-funded conservation land purchase programs shall be  
1535 authorized, upon a finding by the board of trustees, if they  
1536 meet the criteria specified in paragraphs (a)-(e): water  
1537 resource development projects, water supply development  
1538 projects, stormwater management projects, linear facilities, and  
1539 sustainable agriculture and forestry. Such additional uses are  
1540 authorized if where:

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- 1541           (a) The use is not inconsistent with the management plan  
1542 for such lands;
- 1543           (b) The use is compatible with the natural ecosystem and  
1544 resource values of such lands;
- 1545           (c) The ~~proposed~~ use is appropriately located on such lands  
1546 and if ~~where~~ due consideration is given to the use of other  
1547 available lands;
- 1548           (d) The using entity reasonably compensates the titleholder  
1549 for such use based upon an appropriate measure of value; and
- 1550           (e) The use is consistent with the public interest.

1551  
1552 A decision by the board of trustees pursuant to this section  
1553 shall be given a presumption of correctness. Moneys received  
1554 from the use of state lands pursuant to this section shall be  
1555 returned to the lead managing entity in accordance with s.  
1556 259.032 (9) (c) .

1557           (10)~~(11)~~ Lands listed as projects for acquisition may be  
1558 managed for conservation pursuant to s. 259.032, on an interim  
1559 basis by a private party in anticipation of a state purchase in  
1560 accordance with a contractual arrangement between the acquiring  
1561 agency and the private party that may include management service  
1562 contracts, leases, cost-share arrangements or resource  
1563 conservation agreements. Lands designated as eligible under this  
1564 subsection shall be managed to maintain or enhance the resources  
1565 the state is seeking to protect by acquiring the land. Funding  
1566 for these contractual arrangements may originate from the  
1567 documentary stamp tax revenue deposited into the Land  
1568 Acquisition Trust Fund. No more than \$6.2 million may be  
1569 expended from the Land Acquisition Trust Fund for this purpose.

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1570        (11)~~(12)~~ Any lands available to governmental employees,  
1571 including water management district employees, for hunting or  
1572 other recreational purposes shall also be made available to the  
1573 general public for such purposes.

1574        ~~(13) Before a building or parcel of land is offered for  
1575 lease or sale to a local or federal unit of government or a  
1576 private party, it shall first be offered for lease to state  
1577 agencies, state universities, and Florida College System  
1578 institutions, with priority consideration given to state  
1579 universities and Florida College System institutions. Within 60  
1580 days after the offer for lease of a surplus building or parcel,  
1581 a state university or Florida College System institution that  
1582 requests the lease must submit a plan for review and approval by  
1583 the Board of Trustees of the Internal Improvement Trust Fund  
1584 regarding the intended use, including future use, of the  
1585 building or parcel of land before approval of a lease. Within 60  
1586 days after the offer for lease of a surplus building or parcel,  
1587 a state agency that requests the lease of such facility or  
1588 parcel must submit a plan for review and approval by the board  
1589 of trustees regarding the intended use. The state agency plan  
1590 must, at a minimum, include the proposed use of the facility or  
1591 parcel, the estimated cost of renovation, a capital improvement  
1592 plan for the building, evidence that the building or parcel  
1593 meets an existing need that cannot otherwise be met, and other  
1594 criteria developed by rule by the board of trustees. The board  
1595 or its designee shall compare the estimated value of the  
1596 building or parcel to any submitted business plan to determine  
1597 if the lease or sale is in the best interest of the state. The  
1598 board of trustees shall adopt rules pursuant to chapter 120 for~~

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1599 ~~the implementation of this section.~~

1600 Section 6. Section 253.0341, Florida Statutes, is amended  
1601 to read:

1602 253.0341 Surplus of state-owned lands ~~to counties or local~~  
1603 ~~governments. Counties and local governments may submit~~  
1604 ~~surplusing requests for state-owned lands directly to the board~~  
1605 ~~of trustees. County or local government requests for the state~~  
1606 ~~to surplus conservation or nonconservation lands, whether for~~  
1607 ~~purchase or exchange, shall be expedited throughout the~~  
1608 ~~surplusing process. Property jointly acquired by the state and~~  
1609 ~~other entities shall not be surplusd without the consent of all~~  
1610 ~~joint owners.~~

1611 (1) The board of trustees shall determine which lands, the  
1612 title to which is vested in the board, may be surplusd. For all  
1613 conservation lands, the Acquisition and Restoration Council  
1614 shall make a recommendation to the board of trustees, and the  
1615 board of trustees shall determine whether the lands are no  
1616 longer needed for conservation purposes. If the board of  
1617 trustees determines the lands are no longer needed for  
1618 conservation purposes, it may dispose of such lands by an  
1619 affirmative vote of at least three members. In the case of a  
1620 land exchange involving the disposition of conservation lands,  
1621 the board of trustees must determine by an affirmative vote of  
1622 at least three members that the exchange will result in a net  
1623 positive conservation benefit. For all nonconservation lands,  
1624 the board of trustees shall determine whether the lands are no  
1625 longer needed. If the board of trustees determines the lands are  
1626 no longer needed, it may dispose of such lands by an affirmative  
1627 vote of at least three members. Local government requests for



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1628 the state to surplus conservation or nonconservation lands,  
1629 whether for purchase or exchange, shall be expedited throughout  
1630 the surplus process. Property jointly acquired by the state  
1631 and other entities may not be surplus without the consent of  
1632 all joint owners ~~The decision to surplus state-owned~~  
1633 ~~nonconservation lands may be made by the board without a review~~  
1634 ~~of, or a recommendation on, the request from the Acquisition and~~  
1635 ~~Restoration Council or the Division of State Lands. Such~~  
1636 ~~requests for nonconservation lands shall be considered by the~~  
1637 ~~board within 60 days of the board's receipt of the request.~~

1638 (2) For purposes of this section, all lands acquired by the  
1639 state before July 1, 1999, using proceeds from Preservation 2000  
1640 bonds, the former Conservation and Recreation Lands Trust Fund,  
1641 the former Water Management Lands Trust Fund, Environmentally  
1642 Endangered Lands Program, and the Save Our Coast Program and  
1643 titled to the board of trustees which are identified as core  
1644 parcels or within original project boundaries are deemed to have  
1645 been acquired for conservation purposes ~~County or local~~  
1646 ~~government requests for the surplus of state-owned~~  
1647 ~~conservation lands are subject to review of, and recommendation~~  
1648 ~~on, the request to the board by the Acquisition and Restoration~~  
1649 ~~Council. Requests to surplus conservation lands shall be~~  
1650 ~~considered by the board within 120 days of the board's receipt~~  
1651 ~~of the request.~~

1652 (3) For any lands purchased by the state on or after July  
1653 1, 1999, before acquisition, the board of trustees must  
1654 determine which parcels must be designated as having been  
1655 acquired for conservation purposes. Lands acquired for use by  
1656 the Department of Corrections; the Department of Management

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1657 Services for use as state offices; the Department of  
1658 Transportation, except those lands specifically managed for  
1659 conservation or recreation purposes; the State University  
1660 System; or the Florida College System may not be designated as  
1661 having been acquired for conservation purposes ~~A local~~  
1662 ~~government may request that state lands be specifically declared~~  
1663 ~~surplus lands for the purpose of providing alternative water~~  
1664 ~~supply and water resource development projects as defined in s.~~  
1665 ~~373.019, public facilities such as schools, fire and police~~  
1666 ~~facilities, and affordable housing. The request shall comply~~  
1667 ~~with the requirements of subsection (1) if the lands are~~  
1668 ~~nonconservation lands or subsection (2) if the lands are~~  
1669 ~~conservation lands. Surplus lands that are conveyed to a local~~  
1670 ~~government for affordable housing shall be disposed of by the~~  
1671 ~~local government under the provisions of s. 125.379 or s.~~  
1672 ~~166.0451.~~

1673 (4) At least every 10 years, as a component of each land  
1674 management plan or land use plan and in a form and manner  
1675 adopted by rule of the board of trustees, each manager shall  
1676 evaluate and indicate to the board of trustees those lands that  
1677 are not being used for the purpose for which they were  
1678 originally leased. For conservation lands, the Acquisition and  
1679 Restoration Council shall review and recommend to the board of  
1680 trustees whether such lands should be retained in public  
1681 ownership or disposed of by the board of trustees. For  
1682 nonconservation lands, the Division of State Lands shall review  
1683 and recommend to the board of trustees whether such lands should  
1684 be retained in public ownership or disposed of by the board of  
1685 trustees ~~Notwithstanding the requirements of this section and~~

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1686 ~~the requirements of s. 253.034 which provides a surplus process~~  
1687 ~~for the disposal of state lands, the board shall convey to~~  
1688 ~~Miami-Dade County title to the property on which the Graham~~  
1689 ~~Building, which houses the offices of the Miami-Dade State~~  
1690 ~~Attorney, is located. By January 1, 2008, the board shall convey~~  
1691 ~~fee simple title to the property to Miami-Dade County for a~~  
1692 ~~consideration of one dollar. The deed conveying title to Miami-~~  
1693 ~~Dade County must contain restrictions that limit the use of the~~  
1694 ~~property for the purpose of providing workforce housing as~~  
1695 ~~defined in s. 420.5095, and to house the offices of the Miami-~~  
1696 ~~Dade State Attorney. Employees of the Miami-Dade State Attorney~~  
1697 ~~and the Miami-Dade Public Defender who apply for and meet the~~  
1698 ~~income qualifications for workforce housing shall receive~~  
1699 ~~preference over other qualified applicants.~~

1700 (5) Conservation lands owned by the board of trustees which  
1701 are not actively managed by any state agency or for which a land  
1702 management plan has not been completed pursuant to s. 253.034(5)  
1703 must be reviewed by the Acquisition and Restoration Council for  
1704 its recommendation as to whether such lands should be disposed  
1705 of by the board of trustees.

1706 (6) Before any decision by the board of trustees to surplus  
1707 conservation lands, the Acquisition and Restoration Council  
1708 shall review and make recommendations to the board of trustees  
1709 concerning the request for surplusizing. The council shall  
1710 determine whether the request for surplusizing is compatible with  
1711 the resource values of and management objectives for such lands.

1712 (7) Before a facility or parcel of nonconservation land is  
1713 offered for lease to a local or federal unit of government,  
1714 state university, Florida College System institution, or private

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1715 party, it shall first be offered for lease to state agencies.  
1716 Within 45 days after the offer for lease of a facility or  
1717 parcel, a state agency that requests the lease must submit a  
1718 plan to the board of trustees that includes a description of the  
1719 proposed use, including future use, of the facility or parcel.  
1720 The board of trustees must review and approve the plan before  
1721 approving the lease. The state agency plan must, at a minimum,  
1722 include the proposed use of the facility or parcel, the  
1723 estimated cost of renovation, a capital improvement plan for the  
1724 building, evidence that the facility or parcel meets an existing  
1725 need that cannot otherwise be met, and other criteria adopted by  
1726 rule of the board of trustees. The board of trustees or its  
1727 designee shall compare the estimated value of the facility or  
1728 parcel to any submitted business plan to determine if the lease  
1729 or sale is in the best interest of the state. The board of  
1730 trustees shall adopt rules pursuant to chapter 120 to implement  
1731 this section. A state agency that has requested the use of a  
1732 facility or parcel must secure the facility or parcel with a  
1733 fully executed lease within 90 days after being notified that it  
1734 may use such facility or parcel or the request is voidable.

1735 (8) The sale price of lands determined to be surplus  
1736 pursuant to this section and s. 253.82 shall be determined by  
1737 the Division of State Lands, which shall consider an appraisal  
1738 of the property or, if the estimated value of the land is  
1739 \$500,000 or less, a comparable sales analysis or a broker's  
1740 opinion of value. The division may require a second appraisal.  
1741 The individual or entity that requests to purchase the surplus  
1742 parcel shall pay all costs associated with determining the  
1743 property's value, if any.

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1744 (a) A written valuation of land determined to be surplus  
1745 pursuant to this section and s. 253.82, and related documents  
1746 used to form the valuation or which pertain to the valuation,  
1747 are confidential and exempt from s. 119.07(1) and s. 24(a), Art.  
1748 I of the State Constitution.

1749 1. The exemption expires 2 weeks before the contract or  
1750 agreement regarding the purchase, exchange, or disposal of the  
1751 surplus land is first considered for approval by the board of  
1752 trustees.

1753 2. Before expiration of the exemption, the Division of  
1754 State Lands may disclose confidential and exempt appraisals,  
1755 valuations, or valuation information regarding surplus land:

1756 a. During negotiations for the sale or exchange of the  
1757 land;

1758 b. During the marketing effort or bidding process  
1759 associated with the sale, disposal, or exchange of the land to  
1760 facilitate closure of such effort or process;

1761 c. When the passage of time has made the conclusions of  
1762 value invalid; or

1763 d. When negotiations or marketing efforts concerning the  
1764 land are concluded.

1765 (b) A unit of government that acquires title to lands  
1766 pursuant to this section for less than appraised value may not  
1767 sell or transfer title to all or any portion of the lands to any  
1768 private owner for 10 years. A unit of government seeking to  
1769 transfer or sell lands pursuant to this paragraph must first  
1770 allow the board of trustees to reacquire such lands for the  
1771 price at which the board of trustees sold such lands.

1772 (9) Parcels with a market value over \$500,000 must be

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1773 initially offered for sale by competitive bid. Any parcels  
1774 unsuccessfully offered for sale by competitive bid, and parcels  
1775 with a market value of \$500,000 or less, may be sold by any  
1776 reasonable means, including procuring real estate services, open  
1777 or exclusive listings, competitive bid, auction, negotiated  
1778 direct sales, or other appropriate services, to facilitate the  
1779 sale.

1780 (10) After reviewing the recommendations of the Acquisition  
1781 and Restoration Council, the board of trustees shall determine  
1782 whether conservation lands identified for surplus should be held  
1783 for other public purposes or are no longer needed. The board of  
1784 trustees may require an agency to release its interest in such  
1785 lands. An entity approved to use conservation lands by the board  
1786 of trustees must secure the property under a fully executed  
1787 lease within 90 days after being notified that it may use such  
1788 property or the request is voidable.

1789 (11) Requests to surplus lands may be made by any public or  
1790 private entity or person and shall be determined by the board of  
1791 trustees. All requests to surplus conservation lands shall be  
1792 submitted to the lead managing agency for review and  
1793 recommendation to the Acquisition and Restoration Council, and  
1794 all requests to surplus nonconservation lands shall be submitted  
1795 to the Division of State Lands for review and recommendation to  
1796 the board of trustees. The lead managing agencies shall review  
1797 such requests and make recommendations to the council within 90  
1798 days after receipt of the requests. Any requests to surplus  
1799 conservation lands that are not acted upon within the 90-day  
1800 period shall be immediately scheduled for hearing at the next  
1801 regularly scheduled meeting of the council. Requests to surplus

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1802 lands shall be considered by the board of trustees within 60  
1803 days after receipt of the requests from the council or division.  
1804 Requests to surplus lands pursuant to this subsection are not  
1805 required to be offered to state agencies as provided in  
1806 subsection (7).

1807 (12) Proceeds from the sale of surplus conservation lands  
1808 purchased before July 1, 2015, shall be deposited into the  
1809 Florida Forever Trust Fund.

1810 (13) Proceeds from the sale of surplus conservation lands  
1811 purchased on or after July 1, 2015, shall be deposited into the  
1812 Land Acquisition Trust Fund, except when such lands were  
1813 purchased with funds other than those from the Land Acquisition  
1814 Trust Fund or a land acquisition trust fund created to implement  
1815 s. 28, Art. X of the State Constitution, the proceeds shall be  
1816 deposited into the fund from which the lands were purchased.

1817 (14) Funds received from the sale of surplus  
1818 nonconservation lands or lands that were acquired by gift, by  
1819 donation, or for no consideration shall be deposited into the  
1820 Internal Improvement Trust Fund.

1821 (15) Notwithstanding this section, such disposition of land  
1822 may not be made if it would have the effect of causing all or  
1823 any portion of the interest on any revenue bonds issued to lose  
1824 the exclusion from gross income for federal income tax purposes.

1825 (16) The sale of filled, formerly submerged land that does  
1826 not exceed 5 acres in area is not subject to review by the  
1827 Acquisition and Restoration Council.

1828 (17) The board of trustees may adopt rules to administer  
1829 this section, including procedures for administering surplus  
1830 land requests and criteria for when the Division of State Lands

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1831 may approve requests to surplus nonconservation lands on behalf  
1832 of the board of trustees.

1833 (18) Surplus lands that are conveyed to a local government  
1834 for affordable housing shall be disposed of by the local  
1835 government under s. 125.379 or s. 166.0451.

1836 Section 7. Section 253.111, Florida Statutes, is amended to  
1837 read:

1838 253.111 Riparian owners of land ~~Notice to board of county~~  
1839 ~~commissioners before sale. The Board of Trustees of the Internal~~  
1840 ~~Improvement Trust Fund of the state may not sell any land to~~  
1841 ~~which they hold title unless and until they afford an~~  
1842 ~~opportunity to the county in which such land is situated to~~  
1843 ~~receive such land on the following terms and conditions:~~

1844 ~~(1) If an application is filed with the board requesting~~  
1845 ~~that they sell certain land to which they hold title and the~~  
1846 ~~board decides to sell such land or if the board, without such~~  
1847 ~~application, decides to sell such land, the board shall, before~~  
1848 ~~consideration of any private offers, notify the board of county~~  
1849 ~~commissioners of the county in which such land is situated that~~  
1850 ~~such land is available to such county. Such notification shall~~  
1851 ~~be given by registered mail, return receipt requested.~~

1852 ~~(2) The board of county commissioners of the county in~~  
1853 ~~which such land is situated shall, within 40 days after receipt~~  
1854 ~~of such notification from the board, determine by resolution~~  
1855 ~~whether or not it proposes to acquire such land.~~

1856 ~~(3) If the board receives, within 45 days after notice is~~  
1857 ~~given to the board of county commissioners pursuant to~~  
1858 ~~subsection (1), the certified copy of the resolution provided~~  
1859 ~~for in subsection (2), the board shall forthwith convey to the~~



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1860 county such land at a price that is equal to its appraised  
1861 market value established by generally accepted professional  
1862 standards for real estate appraisal and subject to such other  
1863 terms and conditions as the board determines.

1864 ~~(4) Nothing in this section restricts any right otherwise~~  
1865 ~~granted to the board by this chapter to convey land to which~~  
1866 ~~they hold title to the state or any department, office,~~  
1867 ~~authority, board, bureau, commission, institution, court,~~  
1868 ~~tribunal, agency, or other instrumentality of or under the~~  
1869 ~~state. The word "land" as used in this act means all lands~~  
1870 ~~vested in the Board of Trustees of the Internal Improvement~~  
1871 ~~Trust Fund.~~

1872 (1)~~(5)~~ If a ~~any~~ riparian owner exists with respect to any  
1873 land to be sold by the board of trustees, such riparian owner  
1874 shall have a right to secure such land, ~~which right is prior in~~  
1875 ~~interest to the right in the county created by this section,~~  
1876 provided that such riparian owner shall be required to pay for  
1877 such land upon such prices, terms, and conditions as determined  
1878 by the board of trustees. Such riparian owner may waive this  
1879 ~~prior right, in which case this section shall apply.~~

1880 (2)~~(6)~~ This section does not apply to:

1881 (a) Any land exchange approved by the board of trustees;

1882 (b) The conveyance of any lands located within the  
1883 Everglades Agricultural Area; or

1884 (c) Lands managed pursuant to ss. 253.781-253.785.

1885 Section 8. Section 253.42, Florida Statutes, is amended to  
1886 read:

1887 253.42 Board of trustees may exchange lands. ~~The provisions~~  
1888 ~~of~~ This section applies ~~apply~~ to all lands owned by, vested in,

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1889 or titled in the name of the board of trustees whether the lands  
1890 were acquired by the state as a purchase, or through gift,  
1891 donation, or any other conveyance for which no consideration was  
1892 paid.

1893 (1) The board of trustees may exchange any lands owned by,  
1894 vested in, or titled in its ~~the name of the board~~ for other  
1895 lands in the state owned by counties, local governments,  
1896 individuals, or private or public corporations, and may fix the  
1897 terms and conditions of any such exchange. ~~Any nonconservation~~  
1898 ~~lands that were acquired by the state through gift, donation, or~~  
1899 ~~any other conveyance for which no consideration was paid must~~  
1900 ~~first be offered at no cost to a county or local government~~  
1901 ~~unless otherwise provided in a deed restriction of record or~~  
1902 ~~other legal impediment, and so long as the use proposed by the~~  
1903 ~~county or local government is for a public purpose.~~ For  
1904 conservation lands acquired by the state through gift, donation,  
1905 or any other conveyance for which no consideration was paid, the  
1906 state may request land of equal conservation value from the  
1907 county or local government but no other consideration.

1908 (2) In exchanging state-owned lands not acquired by the  
1909 state through gift, donation, or any other conveyance for which  
1910 no consideration was paid, with counties or local governments,  
1911 the board of trustees shall require an exchange of equal value.  
1912 Equal value is defined as the conservation benefit of the lands  
1913 being offered for exchange by a county or local government being  
1914 equal or greater in conservation benefit than the state-owned  
1915 lands. Such exchanges may include cash transactions if based on  
1916 an appropriate measure of value of the state-owned land, but  
1917 must also include the determination of a net-positive

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1918 conservation benefit by the Acquisition and Restoration Council,  
1919 irrespective of appraised value.

1920 (3) The board of trustees shall select and agree upon the  
1921 state lands to be exchanged and the lands to be conveyed to the  
1922 state and shall pay or receive any sum of money the board of  
1923 trustees deems ~~deemed~~ necessary ~~by the board~~ for the purpose of  
1924 equalizing the value of the exchanged property. The board of  
1925 trustees is authorized to make and enter into contracts or  
1926 agreements for such purpose or purposes.

1927 (4) (a) A person who owns land contiguous to state-owned  
1928 land titled to the board of trustees may submit a request to the  
1929 Division of State Lands to exchange all or a portion of the  
1930 privately owned land for all or a portion of the state-owned  
1931 land, whereby the state retains a permanent conservation  
1932 easement over all or a portion of the exchanged state-owned land  
1933 and a permanent conservation easement over all or a portion of  
1934 the exchanged privately owned land. State-owned land exchanged  
1935 pursuant to this subsection shall be contiguous to the privately  
1936 owned land upon which the state retains a permanent conservation  
1937 easement. If the division elects to proceed with a request, the  
1938 division must submit the request to the Acquisition and  
1939 Restoration Council for review and the council must provide  
1940 recommendations to the division. If the division elects to  
1941 forward a request to the board of trustees, the division must  
1942 provide its recommendations and the recommendations of the  
1943 council to the board. This subsection does not apply to state-  
1944 owned sovereign submerged land.

1945 (b) After receiving a request and the division's  
1946 recommendations, the board of trustees shall consider such

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1947 request and recommendations and may approve the request if:

1948 1. At least 30 percent of the perimeter of the privately  
1949 owned land is bordered by state-owned land and the exchange does  
1950 not create an inholding.

1951 2. The approval does not result in a violation of the terms  
1952 of a preexisting lease or agreement by the board of trustees,  
1953 the Department of Environmental Protection, the Department of  
1954 Agriculture and Consumer Services, or the Fish and Wildlife  
1955 Conservation Commission.

1956 3. For state-owned land purchased for conservation  
1957 purposes, the board of trustees makes a determination that the  
1958 exchange of land under this subsection will result in a net  
1959 positive conservation benefit.

1960 4. The approval does not conflict with any existing flowage  
1961 easement.

1962 5. The request is approved by three or more members of the  
1963 board of trustees.

1964 (c) Special consideration shall be given to a request that  
1965 maintains public access for any recreational purpose allowed on  
1966 the state-owned land at the time the request is submitted to the  
1967 board of trustees. A person who maintains public access pursuant  
1968 to this paragraph is entitled to the limitation on liability  
1969 provided in s. 375.251.

1970 (d) Land subject to a permanent conservation easement  
1971 granted pursuant to this subsection is subject to inspection by  
1972 the Department of Environmental Protection to ensure compliance  
1973 with the terms of the permanent conservation easement.

1974 Section 9. Subsection (2) of section 253.782, Florida  
1975 Statutes, is amended to read:

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1976           253.782 Retention of state-owned lands in and around Lake  
1977 Rousseau and the Cross Florida Barge Canal right-of-way from  
1978 Lake Rousseau west to the Withlacoochee River.—

1979           (2) The Department of Environmental Protection is  
1980 authorized ~~and directed~~ to retain ownership of and maintain all  
1981 lands or interests in land owned by the Board of Trustees of the  
1982 Internal Improvement Trust Fund, including all fee and less than  
1983 fee less than fee interests in lands previously owned by the  
1984 canal authority in Lake Rousseau and the Cross Florida Barge  
1985 Canal right-of-way from Lake Rousseau at U.S. Highway 41 west to  
1986 and including the Withlacoochee River.

1987           Section 10. Section 253.7821, Florida Statutes, is amended  
1988 to read:

1989           253.7821 Cross Florida Greenways State Recreation and  
1990 Conservation Area assigned to the Department of Environmental  
1991 Protection Office of the Executive Director.—The Cross Florida  
1992 Greenways State Recreation and Conservation Area is ~~hereby~~  
1993 established and ~~is initially~~ assigned to the department Office  
1994 ~~of Greenways Management within the Office of the Secretary~~. The  
1995 department office shall manage the greenways pursuant to the  
1996 department's existing statutory authority until administrative  
1997 rules are adopted by the department. However, the provisions of  
1998 this act shall control in any conflict between this act and any  
1999 other authority of the department.

2000           Section 11. Section 253.87, Florida Statutes, is created to  
2001 read:

2002           253.87 Inventory of state, federal, and local government  
2003 conservation lands by the Department of Environmental  
2004 Protection.—

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2005        (1) By July 1, 2018, the department shall include in the  
2006 Florida State-Owned Lands and Records Information System (FL-  
2007 SOLARIS) database all federally owned conservation lands in the  
2008 state, all lands on which the Federal Government retains a  
2009 permanent conservation easement in the state, and all lands on  
2010 which the state retains a permanent conservation easement. The  
2011 department shall update the database at least every 5 years.

2012        (2) By July 1, 2018, for counties and municipalities, and  
2013 by July 1, 2019, for financially disadvantaged small  
2014 communities, as defined in s. 403.1838, and at least every 5  
2015 years thereafter, respectively, each county, municipality, and  
2016 financially disadvantaged small community shall identify all  
2017 conservation lands that it owns in fee simple and all lands on  
2018 which it retains a permanent conservation easement and submit,  
2019 in a manner determined by the department, a list of such lands  
2020 to the department. Within 6 months after receiving such list,  
2021 the department shall add such lands to the FL-SOLARIS database.

2022        (3) By January 1, 2018, the department shall conduct a  
2023 study and submit a report to the Governor, the President of the  
2024 Senate, and the Speaker of the House of Representatives on the  
2025 technical and economic feasibility of including the following  
2026 lands in the FL-SOLARIS database or a similar public lands  
2027 inventory:

2028        (a) All lands on which local comprehensive plans, land use  
2029 restrictions, zoning ordinances, or land development regulations  
2030 prohibit the land from being developed or limit the amount of  
2031 development to one unit per 40 or more acres.

2032        (b) All publicly and privately owned lands for which  
2033 development rights have been transferred.

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2034 (c) All privately owned lands under a permanent  
2035 conservation easement.

2036 (d) All lands owned by a nonprofit or nongovernmental  
2037 organization for conservation purposes.

2038 (e) All lands that are part of a mitigation bank.

2039 Section 12. Section 259.01, Florida Statutes, is amended to  
2040 read:

2041 259.01 Short title.—This chapter shall be known and may be  
2042 cited as the "Land Conservation Program Act ~~of 1972.~~"

2043 Section 13. Section 259.02, Florida Statutes, is repealed.

2044 Section 14. Subsections (6), (7), and (8) and paragraphs  
2045 (a) and (d) of section (9) of section 259.032, Florida Statutes,  
2046 are amended to read:

2047 259.032 Conservation and recreation lands.—

2048 (6) Conservation and recreation lands are subject to the  
2049 selection procedures of s. 259.035 and related rules and shall  
2050 be acquired in accordance with acquisition procedures for state  
2051 lands provided for in s. 253.025 ~~259.041~~, except as otherwise  
2052 provided by the Legislature. An inholding or an addition to  
2053 conservation and recreation lands is not subject to the  
2054 selection procedures of s. 259.035 if the estimated value of  
2055 such inholding or addition does not exceed \$500,000. When at  
2056 least 90 percent of the acreage of a project has been purchased  
2057 for conservation and recreation purposes, the project may be  
2058 removed from the list and the remaining acreage may continue to  
2059 be purchased. Funds appropriated to acquire conservation and  
2060 recreation lands may be used for title work, appraisal fees,  
2061 environmental audits, and survey costs related to acquisition  
2062 expenses for lands to be acquired, donated, or exchanged which

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2063 qualify under the categories of this section, at the discretion  
2064 of the board. When the Legislature has authorized the department  
2065 ~~of Environmental Protection~~ to condemn a specific parcel of land  
2066 and such parcel has already been approved for acquisition, the  
2067 land may be acquired in accordance with ~~the provisions of~~  
2068 chapter 73 or chapter 74, and the funds appropriated to acquire  
2069 conservation and recreation lands may be used to pay the  
2070 condemnation award and all costs, including reasonable attorney  
2071 fees, associated with condemnation.

2072 (7) All lands managed under this chapter and s. 253.034  
2073 shall be:

2074 (a) Managed in a manner that will provide the greatest  
2075 combination of benefits to the public and to the resources.

2076 (b) Managed for public outdoor recreation which is  
2077 compatible with the conservation and protection of public lands.  
2078 Such management may include, but not be limited to, the  
2079 following public recreational uses: fishing, hunting, camping,  
2080 bicycling, hiking, nature study, swimming, boating, canoeing,  
2081 horseback riding, diving, model hobbyist activities, birding,  
2082 sailing, jogging, and other related outdoor activities  
2083 ~~compatible with the purposes for which the lands were acquired.~~

2084 ~~(c) Managed for the purposes for which the lands were~~  
2085 ~~acquired, consistent with paragraph (9) (a).~~

2086 (c) ~~(d)~~ Concurrent with its adoption of the annual list of  
2087 acquisition projects pursuant to s. 259.035, the board ~~of~~  
2088 ~~trustees~~ shall adopt a management prospectus for each project.  
2089 The management prospectus shall delineate:

- 2090 1. The management goals for the property;
- 2091 2. The conditions that will affect the intensity of



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2092 management;

2093 3. An estimate of the revenue-generating potential of the  
2094 property, if appropriate;

2095 4. A timetable for implementing the various stages of  
2096 management and for providing access to the public, if  
2097 applicable;

2098 5. A description of potential multiple-use activities as  
2099 described in this section and s. 253.034;

2100 6. Provisions for protecting existing infrastructure and  
2101 for ensuring the security of the project upon acquisition;

2102 7. The anticipated costs of management and projected  
2103 sources of revenue, including legislative appropriations, to  
2104 fund management needs; and

2105 8. Recommendations as to how many employees will be needed  
2106 to manage the property, and recommendations as to whether local  
2107 governments, volunteer groups, the former landowner, or other  
2108 interested parties can be involved in the management.

2109 (d)~~(e)~~ Concurrent with the approval of the acquisition  
2110 contract pursuant to s. 253.025(4)(c) ~~259.041(3)(e)~~ for any  
2111 interest in lands except those lands ~~being~~ acquired pursuant to  
2112 ~~under the provisions of~~ s. 259.1052, the board ~~of trustees~~ shall  
2113 designate an agency or agencies to manage such lands. The board  
2114 shall evaluate and amend, as appropriate, the management policy  
2115 statement for the project as provided by s. 259.035 to ensure  
2116 that the policy statement is compatible with conservation,  
2117 recreation, or both, ~~consistent with the purposes for which the~~  
2118 ~~lands are acquired.~~ For any fee simple acquisition of a parcel  
2119 which is or will be leased back for agricultural purposes, or  
2120 any acquisition of a less than fee ~~less than fee~~ interest in

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2121 land that is or will be used for agricultural purposes, the  
2122 board ~~of trustees of the Internal Improvement Trust Fund~~ shall  
2123 first consider having a soil and water conservation district,  
2124 created pursuant to chapter 582, manage and monitor such  
2125 interests.

2126 (e) ~~(f)~~ State agencies designated to manage lands acquired  
2127 under this chapter or with funds deposited into the Land  
2128 Acquisition Trust Fund, except those lands acquired under s.  
2129 259.1052, may contract with local governments and soil and water  
2130 conservation districts to assist in management activities,  
2131 including the responsibility of being the lead land manager.  
2132 Such land management contracts may include a provision for the  
2133 transfer of management funding to the local government or soil  
2134 and water conservation district from the land acquisition trust  
2135 fund of the lead land managing agency in an amount adequate for  
2136 the local government or soil and water conservation district to  
2137 perform its contractual land management responsibilities and  
2138 proportionate to its responsibilities, and which otherwise would  
2139 have been expended by the state agency to manage the property.

2140 (f) ~~(g)~~ Immediately following the acquisition of any  
2141 interest in conservation and recreation lands, the department ~~of~~  
2142 ~~Environmental Protection~~, acting on behalf of the board ~~of~~  
2143 ~~trustees~~, may issue to the lead managing entity an interim  
2144 assignment letter to be effective until the execution of a  
2145 formal lease.

2146 (8) (a) State, regional, or local governmental agencies or  
2147 private entities designated to manage lands under this section  
2148 shall develop and adopt, with the approval of the board ~~of~~  
2149 ~~trustees~~, an individual management plan for each project

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2150 designed to conserve and protect such lands and their associated  
2151 natural resources. Private sector involvement in management plan  
2152 development may be used to expedite the planning process.

2153 (b) Individual management plans required by s. 253.034(5),  
2154 for parcels over 160 acres, shall be developed with input from  
2155 an advisory group. Members of this advisory group shall include,  
2156 at a minimum, representatives of the lead land managing agency,  
2157 comanaging entities, local private property owners, the  
2158 appropriate soil and water conservation district, a local  
2159 conservation organization, and a local elected official. If  
2160 habitat or potentially restorable habitat for imperiled species  
2161 is located on state lands, the Fish and Wildlife Conservation  
2162 Commission and the Department of Agriculture and Consumer  
2163 Services shall be included on any advisory group required under  
2164 chapter 253, and the short-term and long-term management goals  
2165 required under chapter 253 must advance the goals and objectives  
2166 of imperiled species management without restricting other uses  
2167 identified in the management plan. The advisory group shall  
2168 conduct at least one public hearing within the county in which  
2169 the parcel or project is located. For those parcels or projects  
2170 that are within more than one county, at least one areawide  
2171 public hearing shall be acceptable and the lead managing agency  
2172 shall invite a local elected official from each county. The  
2173 areawide public hearing shall be held in the county in which the  
2174 core parcels are located. Notice of such public hearing shall be  
2175 posted on the parcel or project designated for management,  
2176 advertised in a paper of general circulation, and announced at a  
2177 scheduled meeting of the local governing body before the actual  
2178 public hearing. The management prospectus required pursuant to

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2179 paragraph (7) (c) ~~(7) (d)~~ shall be available to the public for a  
2180 period of 30 days before ~~prior to~~ the public hearing.

2181 (c) Once a plan is adopted, the managing agency or entity  
2182 shall update the plan at least every 10 years in a form and  
2183 manner adopted ~~prescribed~~ by rule of the board ~~of trustees~~. Such  
2184 updates, for parcels over 160 acres, shall be developed with  
2185 input from an advisory group. Such plans may include transfers  
2186 of leasehold interests to appropriate conservation organizations  
2187 or governmental entities designated by the ~~Land Acquisition and~~  
2188 ~~Management Advisory~~ council ~~or its successor~~, for uses  
2189 consistent with the purposes of the organizations and the  
2190 protection, preservation, conservation, restoration, and proper  
2191 management of the lands and their resources. Volunteer  
2192 management assistance is encouraged, including, but not limited  
2193 to, assistance by youths participating in programs sponsored by  
2194 state or local agencies, by volunteers sponsored by  
2195 environmental or civic organizations, and by individuals  
2196 participating in programs for committed delinquents and adults.

2197 ~~(d) 1.~~ For each project for which lands are acquired after  
2198 July 1, 1995, an individual management plan shall be adopted and  
2199 in place no later than 1 year after the essential parcel or  
2200 parcels identified in the priority list developed pursuant to s.  
2201 259.105 have been acquired. The department ~~of Environmental~~  
2202 ~~Protection~~ shall distribute only 75 percent of the acquisition  
2203 funds to which a budget entity or water management district  
2204 would otherwise be entitled to any budget entity or any water  
2205 management district that has more than one-third of its  
2206 management plans overdue.

2207 ~~2. The requirements of subparagraph 1. do not apply to the~~

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2208 ~~individual management plan for the Babcock Crescent B Ranch~~  
2209 ~~being acquired pursuant to s. 259.1052. The management plan for~~  
2210 ~~the ranch shall be adopted and in place no later than 2 years~~  
2211 ~~following the date of acquisition by the state.~~

2212 (e) Individual management plans shall conform to the  
2213 appropriate policies and guidelines of the state land management  
2214 plan and shall include, but not be limited to:

2215 1. A statement of the purpose for which the lands were  
2216 acquired, the projected use or uses as defined in s. 253.034,  
2217 and the statutory authority for such use or uses.

2218 2. Key management activities necessary to achieve the  
2219 desired outcomes, including, but not limited to, providing  
2220 public access, preserving and protecting natural resources,  
2221 protecting cultural and historical resources, restoring habitat,  
2222 protecting threatened and endangered species, controlling the  
2223 spread of nonnative plants and animals, performing prescribed  
2224 fire activities, and other appropriate resource management.

2225 3. A specific description of how the managing agency plans  
2226 to identify, locate, protect, and preserve, or otherwise use  
2227 fragile, nonrenewable natural and cultural resources.

2228 4. A priority schedule for conducting management  
2229 activities, ~~based on the purposes for which the lands were~~  
2230 ~~acquired.~~

2231 5. A cost estimate for conducting priority management  
2232 activities, to include recommendations for cost-effective  
2233 methods of accomplishing those activities.

2234 6. A cost estimate for conducting other management  
2235 activities which would enhance the natural resource value or  
2236 public recreation value ~~for which the lands were acquired.~~ The

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2237 cost estimate shall include recommendations for cost-effective  
2238 methods of accomplishing those activities.

2239 7. A determination of the public uses and public access  
2240 that would be compatible with conservation, recreation, or both  
2241 ~~that would be consistent with the purposes for which the lands~~  
2242 ~~were acquired.~~

2243 (f) The Division of State Lands shall submit a copy of each  
2244 individual management plan for parcels which exceed 160 acres in  
2245 size to each member of the ~~Acquisition and Restoration~~ council,  
2246 which shall:

2247 1. Within 60 days after receiving a plan from the Division  
2248 of State Lands, review each plan for compliance with the  
2249 requirements of this subsection and with the requirements of the  
2250 rules adopted ~~established~~ by the board pursuant to this  
2251 subsection.

2252 2. Consider the propriety of the recommendations of the  
2253 managing agency with regard to the future use or protection of  
2254 the property.

2255 3. After its review, submit the plan, along with its  
2256 recommendations and comments, to the board ~~of trustees~~, with  
2257 recommendations as to whether to approve the plan as submitted,  
2258 approve the plan with modifications, or reject the plan.

2259 (g) The board ~~of trustees~~ shall consider the individual  
2260 management plan submitted by each state agency and the  
2261 recommendations of the ~~Acquisition and Restoration~~ council and  
2262 the department ~~Division of State Lands~~ and shall approve the  
2263 plan with or without modification or reject such plan. The use  
2264 or possession of any lands owned by the board ~~of trustees~~ which  
2265 is not in accordance with an approved individual management plan

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2266 is subject to termination by the board of ~~trustees~~.

2267  
2268 By July 1 of each year, each governmental agency and each  
2269 private entity designated to manage lands shall report to the  
2270 Secretary of Environmental Protection on the progress of  
2271 funding, staffing, and resource management of every project for  
2272 which the agency or entity is responsible.

2273 (9) (a) The Legislature recognizes that acquiring lands  
2274 pursuant to this chapter serves the public interest by  
2275 protecting land, air, and water resources which contribute to  
2276 the public health and welfare, providing areas for natural  
2277 resource based recreation, and ensuring the survival of unique  
2278 and irreplaceable plant and animal species. The Legislature  
2279 intends for these lands to be managed and maintained in a manner  
2280 that is compatible with conservation, recreation, or both,  
2281 consistent with the land management plan ~~for the purposes for~~  
2282 ~~which they were acquired~~ and for the public to have access to  
2283 and use of these lands if public access ~~where it is consistent~~  
2284 ~~with acquisition purposes~~ and would not harm the resources the  
2285 state is seeking to protect on the public's behalf.

2286 (d) Up to one-fifth of the funds appropriated for the  
2287 purposes identified in paragraph (b) shall be reserved by the  
2288 board of ~~trustees~~ for interim management of acquisitions and for  
2289 associated contractual services, to ensure the conservation and  
2290 protection of natural resources on project sites and to allow  
2291 limited public recreational use of lands. Interim management  
2292 activities may include, but not be limited to, resource  
2293 assessments, control of invasive, nonnative species, habitat  
2294 restoration, fencing, law enforcement, controlled burning, and

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2295 public access consistent with preliminary determinations made  
2296 pursuant to paragraph (7) (f) ~~(7) (g)~~. The board ~~of trustees~~ shall  
2297 make these interim funds available immediately upon purchase.

2298 Section 15. Subsection (3) and paragraph (a) of subsection  
2299 (4) of section 259.035, Florida Statutes, are amended to read:

2300 259.035 Acquisition and Restoration Council.—

2301 (3) The council shall provide assistance to the board ~~of~~  
2302 ~~trustees~~ in reviewing the recommendations and plans for state-  
2303 owned conservation lands required under s. 253.034 and this  
2304 chapter. The council shall, in reviewing such ~~recommendations~~  
2305 ~~and~~ plans, consider the optimization of multiple-use and  
2306 conservation strategies to accomplish the provisions funded  
2307 pursuant to former s. 259.101(3) (a), Florida Statutes 2014, and  
2308 to s. 259.105(3) (b).

2309 (4) (a) By December 1, 2016, the ~~Acquisition and Restoration~~  
2310 council shall develop rules defining specific criteria and  
2311 numeric performance measures needed for lands that are to be  
2312 acquired for public purpose under the Florida Forever program  
2313 pursuant to s. 259.105 or with funds deposited into the Land  
2314 Acquisition Trust Fund pursuant to s. 28(a), Art. X of the State  
2315 Constitution. These rules shall be reviewed and adopted by the  
2316 board, then submitted to the Legislature for consideration by  
2317 February 1, 2017. The Legislature may reject, modify, or take no  
2318 action relative to the proposed rules. If no action is taken,  
2319 the rules shall be implemented. Subsequent to their approval,  
2320 each recipient of funds from the Land Acquisition Trust Fund  
2321 shall annually report to the department ~~Division of State Lands~~  
2322 on each of the numeric performance measures accomplished during  
2323 the previous fiscal year.



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2324 Section 16. Subsections (1), (2), (4), and (5) of section  
2325 259.036, Florida Statutes, are amended to read:

2326 259.036 Management review teams.—

2327 (1) To determine whether conservation, preservation, and  
2328 recreation lands titled in the name of the board ~~of Trustees of~~  
2329 ~~the Internal Improvement Trust Fund~~ are being managed for the  
2330 purposes that are compatible with conservation, preservation, or  
2331 recreation ~~for which they were acquired and~~ in accordance with a  
2332 land management plan adopted pursuant to s. 259.032, the board  
2333 ~~of trustees~~, acting through the department ~~of Environmental~~  
2334 ~~Protection~~, shall cause periodic management reviews to be  
2335 conducted as follows:

2336 (a) The department shall establish a regional land  
2337 management review team composed of the following members:

2338 1. One individual who is from the county or local community  
2339 in which the parcel or project is located and who is selected by  
2340 the county commission in the county which is most impacted by  
2341 the acquisition.

2342 2. One individual from the Division of Recreation and Parks  
2343 of the department.

2344 3. One individual from the Florida Forest Service of the  
2345 Department of Agriculture and Consumer Services.

2346 4. One individual from the Fish and Wildlife Conservation  
2347 Commission.

2348 5. One individual from the department's district office in  
2349 which the parcel is located.

2350 6. A private land manager, preferably from the local  
2351 community, mutually agreeable to the state agency  
2352 representatives.

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2353           7. A member or staff from the jurisdictional water  
2354 management district or ~~of the~~ local soil and water conservation  
2355 district board of supervisors.

2356           8. A member of a conservation organization.

2357           (b) The department ~~staff of the Division of State Lands~~  
2358 shall act as the review team coordinator for the purposes of  
2359 establishing schedules for the reviews and other staff  
2360 functions. The Legislature shall appropriate funds necessary to  
2361 implement land management review team functions.

2362           (2) The land management review team shall review select  
2363 management areas before ~~prior to~~ the date the manager is  
2364 required to submit a 10-year land management plan update. For  
2365 management areas that exceed 1,000 acres in size, the department  
2366 ~~Division of State Lands~~ shall schedule a land management review  
2367 at least every 5 years. A copy of the review shall be provided  
2368 to the manager, the department ~~Division of State Lands~~, and the  
2369 ~~Acquisition and Restoration~~ council. The manager shall consider  
2370 the findings and recommendations of the land management review  
2371 team in finalizing the required 10-year update of its management  
2372 plan.

2373           (4) In the event a land management plan has not been  
2374 adopted within the timeframes specified in s. 259.032(8), the  
2375 department may direct a management review of the property, to be  
2376 conducted by the land management review team. The review shall  
2377 consider the extent to which the land is being managed in a  
2378 manner that is compatible with conservation, recreation, or both  
2379 ~~for the purposes for which it was acquired~~ and the degree to  
2380 which actual management practices are in compliance with the  
2381 management policy statement and management prospectus for that

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2382 property.

2383 (5) If the land management review team determines that  
2384 reviewed lands are not being managed in a manner that is  
2385 compatible with conservation, recreation, or both, consistent  
2386 ~~for the purposes for which they were acquired or in compliance~~  
2387 with the adopted land management plan, management policy  
2388 statement, or management prospectus, or if the managing agency  
2389 fails to address the review findings in the updated management  
2390 plan, the department shall provide the review findings to the  
2391 board, and the managing agency must report to the board its  
2392 reasons for managing the lands as it has.

2393 Section 17. Section 259.037, Florida Statutes, is amended  
2394 to read:

2395 259.037 Land Management Uniform Accounting Council.—

2396 (1) The Land Management Uniform Accounting Council (LMUAC)  
2397 is created within the Department of Environmental Protection and  
2398 shall consist of the director of the Division of State Lands,  
2399 the director of the Division of Recreation and Parks, and the  
2400 director of the Office of Coastal and Aquatic Managed Areas, ~~and~~  
2401 ~~the director of the Office of Greenways and Trails of the~~  
2402 ~~department of Environmental Protection;~~ the director of the  
2403 Florida Forest Service of the Department of Agriculture and  
2404 Consumer Services; the executive director of the Fish and  
2405 Wildlife Conservation Commission; and the director of the  
2406 Division of Historical Resources of the Department of State, or  
2407 their respective designees. Each state agency represented on the  
2408 LMUAC council shall have one vote. The chair of the LMUAC  
2409 ~~council~~ shall rotate annually in the foregoing order of state  
2410 agencies. The agency of the representative serving as chair ~~of~~

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2411 ~~the council~~ shall provide staff support for the LMUAC ~~council~~.  
2412 The Division of State Lands shall serve as the recipient of and  
2413 repository for the LMUAC's ~~council's~~ documents. The LMUAC  
2414 ~~council~~ shall meet at the request of the chair.

2415 (2) The Auditor General and the director of the Office of  
2416 Program Policy Analysis and Government Accountability, or their  
2417 designees, shall advise the LMUAC ~~council~~ to ensure that  
2418 appropriate accounting procedures are used ~~utilized~~ and that a  
2419 uniform method of collecting and reporting accurate costs of  
2420 land management activities are created and can be used by all  
2421 agencies.

2422 (3) (a) All land management activities and costs must be  
2423 assigned to a specific category, and any single activity or cost  
2424 may not be assigned to more than one category. Administrative  
2425 costs, such as planning or training, shall be segregated from  
2426 other management activities. Specific management activities and  
2427 costs must initially be grouped, at a minimum, within the  
2428 following categories:

- 2429 1. Resource management.
- 2430 2. Administration.
- 2431 3. Support.
- 2432 4. Capital improvements.
- 2433 5. Recreation visitor services.
- 2434 6. Law enforcement activities.

2435  
2436 Upon adoption of the initial list of land management categories  
2437 by the LMUAC ~~council~~, agencies assigned to manage conservation  
2438 or recreation lands shall, ~~on July 1, 2000, begin to~~ account for  
2439 land management costs in accordance with the category to which

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2440 an expenditure is assigned.

2441 (b) Each reporting agency shall also:

2442 1. Include a report of the available public use  
2443 opportunities for each management unit of state land, the total  
2444 management cost for public access and public use, and the cost  
2445 associated with each use option.

2446 2. List the acres of land requiring minimal management  
2447 effort, moderate management effort, and significant management  
2448 effort pursuant to s. 259.032(9)(c). For each category created  
2449 in paragraph (a), the reporting agency shall include the amount  
2450 of funds requested, the amount of funds received, and the amount  
2451 of funds expended for land management.

2452 3. List acres managed and cost of management for each park,  
2453 preserve, forest, reserve, or management area.

2454 4. List acres managed, cost of management, and lead manager  
2455 for each state lands management unit for which secondary  
2456 management activities were provided.

2457 5. Include a report of the estimated calculable financial  
2458 benefits to the public for the ecosystem services provided by  
2459 conservation lands, based on the best readily available  
2460 information or science that provides a standard measurement  
2461 methodology to be consistently applied by the land managing  
2462 agencies. Such information may include, but need not be limited  
2463 to, the value of natural lands for protecting the quality and  
2464 quantity of drinking water through natural water filtration and  
2465 recharge, contributions to protecting and improving air quality,  
2466 benefits to agriculture through increased soil productivity and  
2467 preservation of biodiversity, and savings to property and lives  
2468 through flood control.

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2469 (4) The LMUAC ~~council~~ shall provide a report of the  
2470 agencies' expenditures pursuant to the adopted categories to the  
2471 Acquisition and Restoration Council and the Division of State  
2472 Lands for inclusion in its annual report required pursuant to s.  
2473 259.036.

2474 (5) Should the LMUAC ~~council~~ determine that the list of  
2475 land management categories needs to be revised, it shall meet  
2476 upon the call of the chair.

2477 (6) Biennially, each reporting agency shall also submit an  
2478 operational report for each management area along with an  
2479 approved management plan. The report should assess the progress  
2480 toward achieving short-term and long-term management goals of  
2481 the approved management plan, including all land management  
2482 activities, and identify any deficiencies in management and  
2483 corrective actions to address identified deficiencies as  
2484 appropriate. This report shall be submitted to the Acquisition  
2485 and Restoration Council and the Division of State Lands for  
2486 inclusion in its annual report required pursuant to s. 259.036.

2487 Section 18. Subsections (1) through (6) and subsections (8)  
2488 through (19) of section 259.041, Florida Statutes, are repealed.

2489 Section 19. Subsection (2) of section 259.047, Florida  
2490 Statutes, is amended to read:

2491 259.047 Acquisition of land on which an agricultural lease  
2492 exists.—

2493 (2) If ~~Where~~ consistent with the purposes of conservation  
2494 and recreation ~~for which the property was acquired~~, the state or  
2495 acquiring entity shall make reasonable efforts to keep lands in  
2496 agricultural production which are in agricultural production at  
2497 the time of acquisition.

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2498 Section 20. Subsection (8) of section 259.101, Florida  
2499 Statutes, is renumbered as subsection (7), and subsection (5),  
2500 paragraph (a) of subsection (6), and present subsection (7) of  
2501 that section are amended, to read:

2502 259.101 Florida Preservation 2000 Act.—

2503 (5) DISPOSITION OF LANDS.—

2504 (a) Any lands acquired pursuant to former paragraphs  
2505 (3) (a), (3) (c), (3) (d), (3) (e), (3) (f), or (3) (g) of this  
2506 section, Florida Statutes 2014, if title to such lands is vested  
2507 in the board ~~of Trustees of the Internal Improvement Trust Fund~~,  
2508 may be disposed of by the board ~~of Trustees of the Internal~~  
2509 ~~Improvement Trust Fund~~ in accordance with the provisions and  
2510 procedures set forth in s. 253.0341 ~~253.034(6)~~, and lands  
2511 acquired pursuant to former paragraph (3) (b) of this section,  
2512 Florida Statutes 2014, may be disposed of by the owning water  
2513 management district in accordance with the procedures and  
2514 provisions set forth in ss. 373.056 and 373.089 provided such  
2515 disposition also shall satisfy the requirements of paragraphs  
2516 (b) and (c).

2517 (b) Before land acquired with Preservation 2000 funds may  
2518 be surplus as required by s. 253.0341 ~~253.034(6)~~ or determined  
2519 to be no longer required for its purposes under s. 373.056(4),  
2520 as applicable, there shall first be a determination by the board  
2521 ~~of Trustees of the Internal Improvement Trust Fund~~, or, in the  
2522 case of water management district lands, by the owning water  
2523 management district, that such land no longer needs to be  
2524 preserved in furtherance of the intent of the Florida  
2525 Preservation 2000 Act. Any lands eligible to be disposed of  
2526 under this procedure also may be used to acquire other lands

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2527 through an exchange of lands if such lands obtained in an  
2528 exchange are described in the same paragraph of former  
2529 subsection (3) of this section, Florida Statutes 2014, as the  
2530 lands disposed.

2531 (c) Revenue derived from the disposal of lands acquired  
2532 with Preservation 2000 funds may not be used for any purpose  
2533 except for deposit into the Florida Forever Trust Fund within  
2534 the department of ~~Environmental Protection~~, for recredit to the  
2535 share held under former subsection (3) of this section, Florida  
2536 Statutes 2014, in which such disposed land is described.

2537 (6) ALTERNATE USES OF ACQUIRED LANDS.—

2538 (a) The board of ~~Trustees of the Internal Improvement Trust~~  
2539 ~~Fund~~, or, in the case of water management district lands, the  
2540 owning water management district, may authorize the granting of  
2541 a lease, easement, or license for the use of any lands acquired  
2542 pursuant to former subsection (3) of this section, Florida  
2543 Statutes 2014, for any governmental use permitted by s. 17, Art.  
2544 IX of the State Constitution of 1885, as adopted by s. 9(a),  
2545 Art. XII of the State Constitution, and any other incidental  
2546 public or private use that is determined by the board or the  
2547 owning water management district to be compatible with  
2548 conservation, preservation, or recreation ~~the purposes for which~~  
2549 ~~such lands were acquired.~~

2550 ~~(7) ALTERNATIVES TO FEE SIMPLE ACQUISITION.—~~

2551 ~~(a) The Legislature finds that, with the increasing~~  
2552 ~~pressures on the natural areas of this state, the state must~~  
2553 ~~develop creative techniques to maximize the use of acquisition~~  
2554 ~~and management moneys. The Legislature finds that the state's~~  
2555 ~~environmental land buying agencies should be encouraged to~~



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2556 ~~augment their traditional, fee simple acquisition programs with~~  
2557 ~~the use of alternatives to fee simple acquisition techniques.~~  
2558 ~~The Legislature also finds that using alternatives to fee simple~~  
2559 ~~acquisition by public land buying agencies will achieve the~~  
2560 ~~following public policy goals:~~

2561 ~~1. Allow more lands to be brought under public protection~~  
2562 ~~for preservation, conservation, and recreational purposes at~~  
2563 ~~less expense using public funds.~~

2564 ~~2. Retain, on local government tax rolls, some portion of~~  
2565 ~~or interest in lands that are under public protection.~~

2566 ~~3. Reduce long term management costs by allowing private~~  
2567 ~~property owners to continue acting as stewards of the land, as~~  
2568 ~~appropriate.~~

2569  
2570 ~~Therefore, it is the intent of the Legislature that public land-~~  
2571 ~~buying agencies develop programs to pursue alternatives to fee~~  
2572 ~~simple acquisition and to educate private landowners about such~~  
2573 ~~alternatives and the benefits of such alternatives. It also is~~  
2574 ~~the intent of the Legislature that the department and the water~~  
2575 ~~management districts spend a portion of their shares of~~  
2576 ~~Preservation 2000 bond proceeds to purchase eligible properties~~  
2577 ~~using alternatives to fee simple acquisition. Finally, it is the~~  
2578 ~~intent of the Legislature that public agencies acquire lands in~~  
2579 ~~fee simple for public access and recreational activities. Lands~~  
2580 ~~protected using alternatives to fee simple acquisition~~  
2581 ~~techniques may not be accessible to the public unless such~~  
2582 ~~access is negotiated with and agreed to by the private~~  
2583 ~~landowners who retain interests in such lands.~~

2584 ~~(b) The Land Acquisition Advisory Council and the water~~

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2585 ~~management districts shall identify, within their 1997~~  
2586 ~~acquisition plans, those projects that require a full fee simple~~  
2587 ~~interest to achieve the public policy goals, along with the~~  
2588 ~~reasons why full title is determined to be necessary. The~~  
2589 ~~council and the water management districts may use alternatives~~  
2590 ~~to fee simple acquisition to bring the remaining projects in~~  
2591 ~~their acquisition plans under public protection. For the~~  
2592 ~~purposes of this subsection, the term "alternatives to fee~~  
2593 ~~simple acquisition" includes the purchase of development rights;~~  
2594 ~~conservation easements; flowage easements; the purchase of~~  
2595 ~~timber rights, mineral rights, or hunting rights; the purchase~~  
2596 ~~of agricultural interests or silvicultural interests; land~~  
2597 ~~protection agreements; fee simple acquisitions with~~  
2598 ~~reservations; or any other acquisition technique that achieves~~  
2599 ~~the public policy goals identified in paragraph (a). It is~~  
2600 ~~presumed that a private landowner retains the full range of uses~~  
2601 ~~for all the rights or interests in the landowner's land which~~  
2602 ~~are not specifically acquired by the public agency. Life estates~~  
2603 ~~and fee simple acquisitions with leaseback provisions do not~~  
2604 ~~qualify as an alternative to fee simple acquisition under this~~  
2605 ~~subsection, although the department and the districts are~~  
2606 ~~encouraged to use such techniques if appropriate.~~

2607 ~~(c) The department and each water management district shall~~  
2608 ~~implement initiatives to use alternatives to fee simple~~  
2609 ~~acquisition and to educate private landowners about such~~  
2610 ~~alternatives. These initiatives must include at least two~~  
2611 ~~acquisitions a year by the department and each water management~~  
2612 ~~district utilizing alternatives to fee simple.~~

2613 ~~(d) The Legislature finds that the lack of direct sales~~

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2614 ~~comparison information has served as an impediment to successful~~  
2615 ~~implementation of alternatives to fee simple acquisition. It is~~  
2616 ~~the intent of the Legislature that, in the absence of direct~~  
2617 ~~comparable sales information, appraisals of alternatives to fee~~  
2618 ~~simple acquisitions be based on the difference between the full~~  
2619 ~~fee simple valuation and the value of the interests remaining~~  
2620 ~~with the seller after acquisition.~~

2621 ~~(e) The public agency that has been assigned management~~  
2622 ~~responsibility shall inspect and monitor any less than fee-~~  
2623 ~~simple interest according to the terms of the purchase agreement~~  
2624 ~~relating to such interest.~~

2625 ~~(f) The department and the water management districts may~~  
2626 ~~enter into joint acquisition agreements to jointly fund the~~  
2627 ~~purchase of lands using alternatives to fee simple techniques.~~

2628 Section 21. Paragraph (a) of subsection (2), paragraphs (i)  
2629 and (l) of subsection (3), subsections (10) and (13), paragraph  
2630 (i) of subsection (15), and subsection (19) of section 259.105,  
2631 Florida Statutes, are amended to read:

2632 259.105 The Florida Forever Act.—

2633 (2) (a) The Legislature finds and declares that:

2634 1. Land acquisition programs have provided tremendous  
2635 financial resources for purchasing environmentally significant  
2636 lands to protect those lands from imminent development or  
2637 alteration, thereby ensuring present and future generations'  
2638 access to important waterways, open spaces, and recreation and  
2639 conservation lands.

2640 2. The continued alteration and development of the state's  
2641 ~~Florida's~~ natural and rural areas to accommodate the state's  
2642 growing population have contributed to the degradation of water

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2643 resources, the fragmentation and destruction of wildlife  
2644 habitats, the loss of outdoor recreation space, and the  
2645 diminishment of wetlands, forests, working landscapes, and  
2646 coastal open space.

2647 3. The potential development of the state's ~~Florida's~~  
2648 remaining natural areas and escalation of land values require  
2649 government efforts to restore, bring under public protection, or  
2650 acquire lands and water areas to preserve the state's essential  
2651 ecological functions and invaluable quality of life.

2652 4. It is essential to protect the state's ecosystems by  
2653 promoting a more efficient use of land, to ensure opportunities  
2654 for viable agricultural activities on working lands, and to  
2655 promote vital rural and urban communities that support and  
2656 produce development patterns consistent with natural resource  
2657 protection.

2658 5. The state's ~~Florida's~~ groundwater, surface waters, and  
2659 springs are under tremendous pressure due to population growth  
2660 and economic expansion and require special protection and  
2661 restoration efforts, including the protection of uplands and  
2662 springsheds that provide vital recharge to aquifer systems and  
2663 are critical to the protection of water quality and water  
2664 quantity of the aquifers and springs. To ensure that sufficient  
2665 quantities of water are available to meet the current and future  
2666 needs of the natural systems and citizens of the state, and  
2667 assist in achieving the planning goals of the department and the  
2668 water management districts, water resource development projects  
2669 on public lands, if ~~where~~ compatible with the resource values of  
2670 and management objectives for the lands, are appropriate.

2671 6. The needs of urban, suburban, and small communities in

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2672 the state ~~Florida~~ for high-quality outdoor recreational  
2673 opportunities, greenways, trails, and open space have not been  
2674 fully met by previous acquisition programs. Through such  
2675 programs as the Florida Communities Trust and the Florida  
2676 Recreation Development Assistance Program, the state shall place  
2677 additional emphasis on acquiring, protecting, preserving, and  
2678 restoring open space, ecological greenways, and recreation  
2679 properties within urban, suburban, and rural areas where  
2680 pristine natural communities or water bodies no longer exist  
2681 because of the proximity of developed property.

2682 7. Many of the state's ~~Florida's~~ unique ecosystems, such as  
2683 the Florida Everglades, are facing ecological collapse due to  
2684 the state's ~~Florida's~~ burgeoning population growth and other  
2685 economic activities. To preserve these valuable ecosystems for  
2686 future generations, essential parcels of land must be acquired  
2687 to facilitate ecosystem restoration.

2688 8. Access to public lands to support a broad range of  
2689 outdoor recreational opportunities and the development of  
2690 necessary infrastructure, if ~~where~~ compatible with the resource  
2691 values of and management objectives for such lands, promotes an  
2692 appreciation for the state's ~~Florida's~~ natural assets and  
2693 improves the quality of life.

2694 9. Acquisition of lands, in fee simple, less than fee ~~less-~~  
2695 ~~than-fee~~ interest, or other techniques shall be based on a  
2696 comprehensive science-based assessment of the state's ~~Florida's~~  
2697 natural resources which targets essential conservation lands by  
2698 prioritizing all current and future acquisitions based on a  
2699 uniform set of data and planned so as to protect the integrity  
2700 and function of ecological systems and working landscapes, and

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2701 provide multiple benefits, including preservation of fish and  
2702 wildlife habitat, recreation space for urban and rural areas,  
2703 and the restoration of natural water storage, flow, and  
2704 recharge.

2705         10. The state has embraced performance-based program  
2706 budgeting as a tool to evaluate the achievements of publicly  
2707 funded agencies, build in accountability, and reward those  
2708 agencies which are able to consistently achieve quantifiable  
2709 goals. While previous and existing state environmental programs  
2710 have achieved varying degrees of success, few of these programs  
2711 can be evaluated as to the extent of their achievements,  
2712 primarily because performance measures, standards, outcomes, and  
2713 goals were not established at the outset. Therefore, the Florida  
2714 Forever program shall be developed and implemented in the  
2715 context of measurable state goals and objectives.

2716         11. The state must play a major role in the recovery and  
2717 management of its imperiled species through the acquisition,  
2718 restoration, enhancement, and management of ecosystems that can  
2719 support the major life functions of such species. It is the  
2720 intent of the Legislature to support local, state, and federal  
2721 programs that result in net benefit to imperiled species habitat  
2722 by providing public and private land owners meaningful  
2723 incentives for acquiring, restoring, managing, and repopulating  
2724 habitats for imperiled species. It is the further intent of the  
2725 Legislature that public lands, both existing and to be acquired,  
2726 identified by the lead land managing agency, in consultation  
2727 with the ~~Florida~~ Fish and Wildlife Conservation Commission for  
2728 animals or the Department of Agriculture and Consumer Services  
2729 for plants, as habitat or potentially restorable habitat for

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2730 imperiled species, be restored, enhanced, managed, and  
2731 repopulated as habitat for such species to advance the goals and  
2732 objectives of imperiled species management for conservation,  
2733 recreation, or both, consistent with the land management plan  
2734 ~~purposes for which such lands are acquired~~ without restricting  
2735 other uses identified in the management plan. It is also the  
2736 intent of the Legislature that of the proceeds distributed  
2737 pursuant to subsection (3), additional consideration be given to  
2738 acquisitions that achieve a combination of conservation goals,  
2739 including the restoration, enhancement, management, or  
2740 repopulation of habitat for imperiled species. The ~~Acquisition~~  
2741 ~~and Restoration~~ council, in addition to the criteria in  
2742 subsection (9), shall give weight to projects that include  
2743 acquisition, restoration, management, or repopulation of habitat  
2744 for imperiled species. The term "imperiled species" as used in  
2745 this chapter and chapter 253, means plants and animals that are  
2746 federally listed under the Endangered Species Act, or state-  
2747 listed by the Fish and Wildlife Conservation Commission or the  
2748 Department of Agriculture and Consumer Services.

2749       ~~a.~~ As part of the state's role, all state lands that have  
2750 imperiled species habitat shall include as a consideration in  
2751 management plan development the restoration, enhancement,  
2752 management, and repopulation of such habitats. In addition, the  
2753 lead land managing agency of such state lands may use fees  
2754 received from public or private entities for projects to offset  
2755 adverse impacts to imperiled species or their habitat in order  
2756 to restore, enhance, manage, repopulate, or acquire land and to  
2757 implement land management plans developed under s. 253.034 or a  
2758 land management prospectus developed and implemented under this

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2759 chapter. Such fees shall be deposited into a foundation or fund  
2760 created by each land management agency under s. 379.223, s.  
2761 589.012, or s. 259.032(9)(c), to be used solely to restore,  
2762 manage, enhance, repopulate, or acquire imperiled species  
2763 habitat.

2764 ~~b. Where habitat or potentially restorable habitat for~~  
2765 ~~imperiled species is located on state lands, the Fish and~~  
2766 ~~Wildlife Conservation Commission and the Department of~~  
2767 ~~Agriculture and Consumer Services shall be included on any~~  
2768 ~~advisory group required under chapter 253, and the short-term~~  
2769 ~~and long-term management goals required under chapter 253 must~~  
2770 ~~advance the goals and objectives of imperiled species management~~  
2771 ~~consistent with the purposes for which the land was acquired~~  
2772 ~~without restricting other uses identified in the management~~  
2773 ~~plan.~~

2774 12. There is a need to change the focus and direction of  
2775 the state's major land acquisition programs and to extend  
2776 funding and bonding capabilities, so that future generations may  
2777 enjoy the natural resources of this state.

2778 (3) Less the costs of issuing and the costs of funding  
2779 reserve accounts and other costs associated with bonds, the  
2780 proceeds of cash payments or bonds issued pursuant to this  
2781 section shall be deposited into the Florida Forever Trust Fund  
2782 created by s. 259.1051. The proceeds shall be distributed by the  
2783 department of Environmental Protection in the following manner:

2784 (i) Three and five-tenths percent to the Department of  
2785 Agriculture and Consumer Services for the acquisition of  
2786 agricultural lands, through perpetual conservation easements and  
2787 other perpetual less than fee ~~less than fee~~ techniques, which



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2788 will achieve the objectives of Florida Forever and s. 570.71.  
2789 Rules concerning the application, acquisition, and priority  
2790 ranking process for such easements shall be developed pursuant  
2791 to s. 570.71(10) and as provided by this paragraph. The board  
2792 shall ensure that such rules are consistent with the acquisition  
2793 process provided for in s. 570.715 ~~259.041~~. Provisions of The  
2794 rules developed pursuant to s. 570.71(10), shall also provide  
2795 for the following:

2796 1. An annual priority list shall be developed pursuant to  
2797 s. 570.71(10), submitted to the ~~Acquisition and Restoration~~  
2798 council for review, and approved by the board pursuant to s.  
2799 259.04.

2800 2. Terms of easements and acquisitions proposed pursuant to  
2801 this paragraph shall be approved by the board and may ~~shall~~ not  
2802 be delegated by the board to any other entity receiving funds  
2803 under this section.

2804 3. All acquisitions pursuant to this paragraph shall  
2805 contain a clear statement that they are subject to legislative  
2806 appropriation.

2807  
2808 ~~No~~ Funds provided under this paragraph may not ~~shall~~ be expended  
2809 until final adoption of rules by the board pursuant to s.  
2810 570.71.

2811 (1) For the purposes of paragraphs (e), (f), (g), and (h),  
2812 the agencies that receive the funds shall develop their  
2813 individual acquisition or restoration lists in accordance with  
2814 specific criteria and numeric performance measures developed  
2815 pursuant to s. 259.035(4). Proposed additions may be acquired if  
2816 they are identified within the original project boundary, the

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2817 management plan required pursuant to s. 253.034(5), or the  
2818 management prospectus required pursuant to s. 259.032(7)(c)  
2819 ~~259.032(7)(d)~~. Proposed additions not meeting the requirements  
2820 of this paragraph shall be submitted to the ~~Acquisition and~~  
2821 ~~Restoration~~ council for approval. The council may only approve  
2822 the proposed addition if it meets two or more of the following  
2823 criteria: serves as a link or corridor to other publicly owned  
2824 property; enhances the protection or management of the property;  
2825 would add a desirable resource to the property; would create a  
2826 more manageable boundary configuration; has a high resource  
2827 value that otherwise would be unprotected; or can be acquired at  
2828 less than fair market value.

2829 (10) The ~~Acquisition and Restoration~~ council shall give  
2830 increased priority to:

2831 (a) those Projects for which matching funds are available.

2832 (b) and to Project elements previously identified on an  
2833 acquisition list pursuant to this section that can be acquired  
2834 at 80 percent or less of appraised value.

2835 (c) Projects that can be acquired in less than fee  
2836 ownership, such as a permanent conservation easement.

2837 (d) Projects that contribute to improving the quality and  
2838 quantity of surface water and groundwater.

2839 (e) Projects that contribute to improving the water quality  
2840 and flow of springs.

2841 ~~(f) The council shall also give increased priority to those~~  
2842 Projects for which where the state's land conservation plans  
2843 overlap with the military's need to protect lands, water, and  
2844 habitat to ensure the sustainability of military missions  
2845 including:

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2846        ~~1.(a)~~ Protecting habitat on nonmilitary land for any  
2847 species found on military land that is designated as threatened  
2848 or endangered, or is a candidate for such designation under the  
2849 Endangered Species Act or any Florida statute;

2850        ~~2.(b)~~ Protecting areas underlying low-level military air  
2851 corridors or operating areas; and

2852        ~~3.(c)~~ Protecting areas identified as clear zones, accident  
2853 potential zones, and air installation compatible use buffer  
2854 zones delineated by our military partners, and for which federal  
2855 or other funding is available to assist with the project.

2856        (13) An affirmative vote of at least five members of the  
2857 ~~Acquisition and Restoration~~ council shall be required in order  
2858 to place a ~~proposed~~ project submitted pursuant to subsection (7)  
2859 on the proposed project list developed pursuant to subsection  
2860 (8). Any member of the council who by family or a business  
2861 relationship has a connection with any project proposed to be  
2862 ranked shall declare such interest before ~~prior to~~ voting for a  
2863 project's inclusion on the list.

2864        (15) The ~~Acquisition and Restoration~~ council shall submit  
2865 to the board ~~of trustees~~, with its list of projects, a report  
2866 that includes, but need shall not be limited to, the following  
2867 information for each project listed:

2868        (i) A management policy statement for the project and a  
2869 management prospectus pursuant to s. 259.032(7)(c)  
2870 ~~259.032(7)(d)~~.

2871        (19) The ~~Acquisition and Restoration~~ council shall  
2872 recommend adoption of rules by the board ~~of trustees~~ necessary  
2873 to implement ~~the provisions of~~ this section relating to:  
2874 solicitation, scoring, selecting, and ranking of Florida Forever

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2875 project proposals; disposing of or leasing lands or water areas  
2876 selected for funding through the Florida Forever program; and  
2877 the process of reviewing and recommending for approval or  
2878 rejection the land management plans associated with publicly  
2879 owned properties. ~~Rules promulgated pursuant to this subsection~~  
2880 ~~shall be submitted to the President of the Senate and the~~  
2881 ~~Speaker of the House of Representatives, for review by the~~  
2882 ~~Legislature, no later than 30 days prior to the 2010 Regular~~  
2883 ~~Session and shall become effective only after legislative~~  
2884 ~~review. In its review, the Legislature may reject, modify, or~~  
2885 ~~take no action relative to such rules. The board of trustees~~  
2886 ~~shall conform such rules to changes made by the Legislature, or,~~  
2887 ~~if no action was taken by the Legislature, such rules shall~~  
2888 ~~become effective.~~

2889 Section 22. Subsections (6) and (7) of section 259.1052,  
2890 Florida Statutes, are amended to read:

2891 259.1052 Babcock Crescent B Ranch Florida Forever  
2892 acquisition; conditions for purchase.-

2893 ~~(6) In addition to distributions authorized under s.~~  
2894 ~~259.105(3), the Department of Environmental Protection is~~  
2895 ~~authorized to distribute \$310 million in revenues from the~~  
2896 ~~Florida Forever Trust Fund. This distribution shall represent~~  
2897 ~~payment in full for the portion of the Babcock Crescent B Ranch~~  
2898 ~~to be acquired by the state under this section.~~

2899 ~~(7) As used in this section, the term "state's portion of~~  
2900 ~~the Babcock Crescent B Ranch" comprises those lands to be~~  
2901 ~~conveyed by special warranty deed to the Board of Trustees of~~  
2902 ~~the Internal Improvement Trust Fund under the provisions of the~~  
2903 ~~agreement for sale and purchase executed by the Board of~~

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2904 ~~Trustees of the Internal Improvement Trust Fund, the Fish and~~  
2905 ~~Wildlife Conservation Commission, the Department of Agriculture~~  
2906 ~~and Consumer Services, and the participating local government,~~  
2907 ~~as purchaser, and MSKP, III, a Florida corporation, as seller.~~

2908 Section 23. Section 570.715, Florida Statutes, is created,  
2909 and subsection (7) of section 259.041, Florida Statutes, is  
2910 transferred, renumbered as subsection (5) of section 570.715,  
2911 Florida Statutes, and amended, to read:

2912 570.715 Conservation easement acquisition procedures.-

2913 (1) For less than fee simple acquisitions pursuant to s.  
2914 570.71, the Department of Agriculture and Consumer Services  
2915 shall comply with the following acquisition procedures:

2916 (a) Before conveyance of title by the department, evidence  
2917 of marketable title in the form of a commitment for title  
2918 insurance or an abstract of title with a title opinion shall be  
2919 obtained.

2920 (b) Before approval by the board of trustees of an  
2921 agreement to purchase less than fee simple title to land  
2922 pursuant to s. 570.71, an appraisal of the parcel shall be  
2923 required as follows:

2924 1. Each parcel to be acquired shall have at least one  
2925 appraisal. Two appraisals are required when the estimated value  
2926 of the parcel exceeds \$1 million. However, when both appraisals  
2927 exceed \$1 million and differ significantly, a third appraisal  
2928 may be obtained.

2929 2. Appraisal fees and associated costs shall be paid by the  
2930 department. All appraisals used for the acquisition of less than  
2931 fee simple interest in lands pursuant to this section shall be  
2932 prepared by a state-certified appraiser who meets the standards

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2933 and criteria established by rule of the board of trustees. Each  
2934 appraiser selected to appraise a particular parcel shall, before  
2935 contracting with the department or a participant in a multiparty  
2936 agreement, submit to the department or participant an affidavit  
2937 substantiating that he or she has no vested or fiduciary  
2938 interest in such parcel.

2939 (c) A certified survey must be made that meets the minimum  
2940 requirements for upland parcels established in the Standards of  
2941 Practice for Land Surveying in Florida published by the  
2942 department and that accurately portrays, to the greatest extent  
2943 practicable, the condition of the parcel as it currently exists.  
2944 The requirement for a certified survey may, in whole or in part,  
2945 be waived by the board of trustees any time before acquisition  
2946 of the less than fee simple interest. If an existing boundary  
2947 map and description of a parcel are determined by the department  
2948 to be sufficient for appraisal purposes, the department may  
2949 temporarily waive the requirement for a survey until any time  
2950 before conveyance of title to the parcel.

2951 (d) On behalf of the board of trustees and before the  
2952 appraisal of parcels approved for purchase under ss.  
2953 259.105(3)(i) and 570.71, the department may enter into option  
2954 contracts to buy less than fee simple interest in such parcels.  
2955 Any such option contract shall state that the final purchase  
2956 price is subject to approval by the board of trustees and that  
2957 the final purchase price may not exceed the maximum offer  
2958 authorized by law. Any such option contract presented to the  
2959 board of trustees for final purchase price approval shall  
2960 explicitly state that payment of the final purchase price is  
2961 subject to an appropriation by the Legislature. The

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2962 consideration for any such option contract may not exceed \$1,000  
2963 or 0.01 percent of the estimate by the department of the value  
2964 of the parcel, whichever amount is greater.

2965 (e) A final offer shall be in the form of an option  
2966 contract or agreement for purchase of the less than fee simple  
2967 interest and shall be signed and attested to by the owner and  
2968 the department. Before the department signs the agreement for  
2969 purchase of the less than fee simple interest or exercises the  
2970 option contract, the requirements of s. 286.23 shall be complied  
2971 with.

2972 (f) The procedures provided in s. 253.025(9) (a)-(d) and  
2973 (10) shall be followed.

2974 (2) If the public's interest is reasonably protected, the  
2975 board of trustees may:

2976 (a) Waive any requirement of this section.

2977 (b) Waive any rules adopted pursuant to s. 570.71,  
2978 notwithstanding chapter 120.

2979 (c) Substitute any other reasonably prudent procedures,  
2980 including federally mandated acquisition procedures, for the  
2981 procedures in this section, if federal funds are available and  
2982 will be used for the purchase of a less than fee simple interest  
2983 in lands, title to which will vest in the board of trustees, and  
2984 qualification for such federal funds requires compliance with  
2985 federally mandated acquisition procedures.

2986 (3) The less than fee simple land acquisition procedures  
2987 provided in this section are for voluntary, negotiated  
2988 acquisitions.

2989 (4) For purposes of this section, the term "negotiations"  
2990 does not include preliminary contacts with the property owner to

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2991 determine availability or eligibility of the property, existing  
2992 appraisal data, existing abstracts, and surveys.

2993 ~~(5)(7) Prior to approval by the board of trustees or, when~~  
2994 ~~applicable, the Department of Environmental Protection, of any~~  
2995 ~~agreement to purchase land pursuant to this chapter, chapter~~  
2996 ~~260, or chapter 375, and prior to negotiations with the parcel~~  
2997 ~~owner to purchase any other land, title to which will vest in~~  
2998 ~~the board of trustees, an appraisal of the parcel shall be~~  
2999 ~~required as follows:~~

3000 ~~(a) The board of trustees shall adopt by rule the method~~  
3001 ~~for determining the value of parcels sought to be acquired by~~  
3002 ~~state agencies pursuant to this section.~~

3003 ~~(b) Each parcel to be acquired shall have at least one~~  
3004 ~~appraisal. Two appraisals are required when the estimated value~~  
3005 ~~of the parcel exceeds \$1 million. However, when both appraisals~~  
3006 ~~exceed \$1 million and differ significantly, a third appraisal~~  
3007 ~~may be obtained. When a parcel is estimated to be worth \$100,000~~  
3008 ~~or less and the director of the Division of State Lands finds~~  
3009 ~~that the cost of obtaining an outside appraisal is not~~  
3010 ~~justified, an appraisal prepared by the division may be used.~~

3011 ~~(c) Appraisal fees and associated costs shall be paid by~~  
3012 ~~the agency proposing the acquisition. The board of trustees~~  
3013 ~~shall approve qualified fee appraisal organizations. All~~  
3014 ~~appraisals used for the acquisition of lands pursuant to this~~  
3015 ~~section shall be prepared by a member of an approved appraisal~~  
3016 ~~organization or by a state-certified appraiser who meets the~~  
3017 ~~standards and criteria established in rule by the board of~~  
3018 ~~trustees. Each fee appraiser selected to appraise a particular~~  
3019 ~~parcel shall, prior to contracting with the agency or a~~



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3020 ~~participant in a multiparty agreement, submit to that agency or~~  
3021 ~~participant an affidavit substantiating that he or she has no~~  
3022 ~~vested or fiduciary interest in such parcel.~~

3023 ~~(d) The fee appraiser and the review appraiser for the~~  
3024 ~~agency shall not act in any way that may be construed as~~  
3025 ~~negotiating with the property owner.~~

3026 ~~(e) Generally,~~ Appraisal reports are confidential and  
3027 exempt from the provisions of s. 119.07(1), for use by the  
3028 department agency and the board of trustees, until an option  
3029 contract is executed or, if an ~~no~~ option contract is not  
3030 executed, until 2 weeks before a contract or agreement for  
3031 purchase is considered for approval by the board of trustees.  
3032 However, the department has the authority, at its discretion, to  
3033 disclose appraisal reports to private landowners during  
3034 negotiations for acquisitions using alternatives to fee simple  
3035 techniques, if the department determines that disclosure of such  
3036 reports will bring the proposed acquisition to closure. The  
3037 department ~~Division of State Lands~~ may also disclose appraisal  
3038 information to public agencies or nonprofit organizations that  
3039 agree to maintain the confidentiality of the reports or  
3040 information when joint acquisition of property is contemplated,  
3041 or when a public agency or nonprofit organization enters into a  
3042 written multiparty agreement with the department ~~division to~~  
3043 ~~purchase and hold property for subsequent resale to the~~  
3044 ~~division. In addition, the division may use, as its own,~~  
3045 ~~appraisals obtained by a public agency or nonprofit~~  
3046 ~~organization, provided the appraiser is selected from the~~  
3047 ~~division's list of appraisers and the appraisal is reviewed and~~  
3048 ~~approved by the division. For the purposes of this subsection~~

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3049 ~~chapter,~~ the term "nonprofit organization" means an organization  
3050 whose purposes include the preservation of natural resources,  
3051 and which is exempt from federal income tax under s. 501(c)(3)  
3052 of the Internal Revenue Code. The department ~~agency~~ may release  
3053 an appraisal report when the passage of time has rendered the  
3054 conclusions of value in the report invalid or when the  
3055 department ~~acquiring agency~~ has terminated negotiations.

3056 ~~(f) The Division of State Lands may use, as its own,~~  
3057 ~~appraisals obtained by a public agency or nonprofit~~  
3058 ~~organization, provided that the appraiser is selected from the~~  
3059 ~~division's list of appraisers and the appraisal is reviewed and~~  
3060 ~~approved by the division. For the purposes of this chapter, the~~  
3061 ~~term "nonprofit organization" means an organization whose~~  
3062 ~~purposes include the preservation of natural resources and which~~  
3063 ~~is exempt from federal income tax under s. 501(c)(3) of the~~  
3064 ~~Internal Revenue Code.~~

3065  
3066 ~~Notwithstanding the provisions of this subsection, on behalf of~~  
3067 ~~the board and before the appraisal of parcels approved for~~  
3068 ~~purchase under this chapter, the Secretary of Environmental~~  
3069 ~~Protection or the director of the Division of State Lands may~~  
3070 ~~enter into option contracts to buy such parcels. Any such option~~  
3071 ~~contract shall state that the final purchase price is subject to~~  
3072 ~~approval by the board or, when applicable, the secretary and~~  
3073 ~~that the final purchase price may not exceed the maximum offer~~  
3074 ~~allowed by law. Any such option contract presented to the board~~  
3075 ~~for final purchase price approval shall explicitly state that~~  
3076 ~~payment of the final purchase price is subject to an~~  
3077 ~~appropriation from the Legislature. The consideration for such~~

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3078 ~~an option may not exceed \$1,000 or 0.01 percent of the estimate~~  
3079 ~~by the department of the value of the parcel, whichever amount~~  
3080 ~~is greater.~~

3081 Section 24. Subsections (1), (3), and (7) of section  
3082 373.089, Florida Statutes, are amended, and subsection (8) is  
3083 added to that section, to read:

3084 373.089 Sale or exchange of lands, or interests or rights  
3085 in lands.—The governing board of the district may sell lands, or  
3086 interests or rights in lands, to which the district has acquired  
3087 title or to which it may hereafter acquire title in the  
3088 following manner:

3089 (1) Any lands, or interests or rights in lands, determined  
3090 by the governing board to be surplus may be sold by the  
3091 district, at any time, for the highest price obtainable;  
3092 however, in no case shall the selling price be less than the  
3093 appraised value of the lands, or interests or rights in lands,  
3094 as determined by a certified appraisal obtained within 360 ~~120~~  
3095 days before the effective date of a contract for sale.

3096 (3) Before selling any surplus land, or interests or rights  
3097 in land, it shall be the duty of the district to cause a notice  
3098 of intention to sell to be published in a newspaper published in  
3099 the county in which the land, or interests or rights in the  
3100 land, is situated once each week for 3 successive weeks, (three  
3101 insertions being sufficient.) ~~),~~ The first publication of the  
3102 required notice must occur at least ~~which shall be not less than~~  
3103 30 days, but not ~~nor~~ more than 360 ~~45~~ days, before ~~prior to~~ any  
3104 sale and must include, ~~which notice shall set forth a~~  
3105 description of lands, or interests or rights in lands, to be  
3106 offered for sale.

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3107 (7) Notwithstanding other provisions of this section, the  
3108 governing board shall first offer title to lands acquired in  
3109 whole or in part with Florida Forever funds which are determined  
3110 to be no longer needed for conservation purposes to the Board of  
3111 Trustees of the Internal Improvement Trust Fund unless the  
3112 disposition of those lands is for the following purposes:

3113 (a) Linear facilities, including electric transmission and  
3114 distribution facilities, telecommunication transmission and  
3115 distribution facilities, pipeline transmission and distribution  
3116 facilities, public transportation corridors, and related  
3117 appurtenances.

3118 (b) The disposition of the fee interest in the land where a  
3119 conservation easement is retained by the district to fulfill the  
3120 conservation objectives for which the land was acquired.

3121 (c) An exchange of the land for other lands that meet or  
3122 exceed the conservation objectives for which the original land  
3123 was acquired in accordance with subsection (4).

3124 (d) To be used by a governmental entity for a public  
3125 purpose.

3126 (e) The portion of an overall purchase deemed surplus at  
3127 the time of the acquisition.

3128 (8) If a parcel of land is no longer essential or necessary  
3129 for conservation purposes and is valued at \$25,000 or less as  
3130 determined by a certified appraisal obtained within 360 days  
3131 before the effective date of a contract for the sale, the  
3132 governing board may determine that the parcel of land is  
3133 surplus. The notice of intention to sell must be published as  
3134 required under subsection (3), one time only. The governing  
3135 board shall send the notice of intention to sell the parcel to

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3136 adjacent property owners by certified mail and publish the  
3137 notice on its website.

3138 (a) Fourteen days after publication of such notice, the  
3139 district may sell the parcel to an adjacent property owner or,  
3140 if there are two or more owners of adjacent property, accept  
3141 sealed bids and sell the parcel to the highest bidder or reject  
3142 all offers.

3143 (b) Thirty days after publication of such notice, the  
3144 district shall accept sealed bids and may sell the parcel to the  
3145 highest bidder or reject all offers.

3146  
3147 If ~~In the event~~ the Board of Trustees of the Internal  
3148 Improvement Trust Fund declines to accept title to the lands  
3149 offered under this section, the land may be disposed of by the  
3150 district under the provisions of this section.

3151 Section 25. Paragraph (d) of subsection (1) of section  
3152 73.015, Florida Statutes, is amended to read:

3153 73.015 Presuit negotiation.—

3154 (1) Effective July 1, 2000, before an eminent domain  
3155 proceeding is brought under this chapter or chapter 74, the  
3156 condemning authority must attempt to negotiate in good faith  
3157 with the fee owner of the parcel to be acquired, must provide  
3158 the fee owner with a written offer and, if requested, a copy of  
3159 the appraisal upon which the offer is based, and must attempt to  
3160 reach an agreement regarding the amount of compensation to be  
3161 paid for the parcel.

3162 (d) Notwithstanding this subsection, with respect to lands  
3163 acquired under s. 253.025 ~~259.041~~, the condemning authority is  
3164 not required to give the fee owner the current appraisal before

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3165 executing an option contract.

3166 Section 26. Paragraph (b) of subsection (1) of section  
3167 125.355, Florida Statutes, is amended to read:

3168 125.355 Proposed purchase of real property by county;  
3169 confidentiality of records; procedure.—

3170 (1)

3171 (b) If the exemptions provided in this section are  
3172 utilized, the governing body shall obtain at least one appraisal  
3173 by an appraiser approved pursuant to s. 253.025 ~~253.025(6)(b)~~  
3174 for each purchase in an amount of not more than \$500,000. For  
3175 each purchase in an amount in excess of \$500,000, the governing  
3176 body shall obtain at least two appraisals by appraisers approved  
3177 pursuant to s. 253.025 ~~253.025(6)(b)~~. If the agreed purchase  
3178 price exceeds the average appraised price of the two appraisals,  
3179 the governing body is required to approve the purchase by an  
3180 extraordinary vote. The governing body may, by ordinary vote,  
3181 exempt a purchase in an amount of \$100,000 or less from the  
3182 requirement for an appraisal.

3183 Section 27. Paragraph (b) of subsection (1) of section  
3184 166.045, Florida Statutes, is amended to read:

3185 166.045 Proposed purchase of real property by municipality;  
3186 confidentiality of records; procedure.—

3187 (1)

3188 (b) If the exemptions provided in this section are  
3189 utilized, the governing body shall obtain at least one appraisal  
3190 by an appraiser approved pursuant to s. 253.025 ~~253.025(6)(b)~~  
3191 for each purchase in an amount of not more than \$500,000. For  
3192 each purchase in an amount in excess of \$500,000, the governing  
3193 body shall obtain at least two appraisals by appraisers approved

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3194 pursuant to s. 253.025 ~~253.025(6)(b)~~. If the agreed purchase  
3195 price exceeds the average appraised price of the two appraisals,  
3196 the governing body is required to approve the purchase by an  
3197 extraordinary vote. The governing body may, by ordinary vote,  
3198 exempt a purchase in an amount of \$100,000 or less from the  
3199 requirement for an appraisal.

3200 Section 28. Subsection (2) of section 215.82, Florida  
3201 Statutes, is amended to read:

3202 215.82 Validation; when required.-

3203 (2) Any bonds issued pursuant to this act which are  
3204 validated shall be validated in the manner provided by chapter  
3205 75. In actions to validate bonds to be issued in the name of the  
3206 State Board of Education under s. 9(a) and (d), Art. XII of the  
3207 State Constitution and bonds to be issued pursuant to chapter  
3208 259, the Land Conservation Program Act of 1972, the complaint  
3209 shall be filed in the circuit court of the county where the seat  
3210 of state government is situated, the notice required to be  
3211 published by s. 75.06 shall be published only in the county  
3212 where the complaint is filed, and the complaint and order of the  
3213 circuit court shall be served only on the state attorney of the  
3214 circuit in which the action is pending. In any action to  
3215 validate bonds issued pursuant to s. 1010.62 or issued pursuant  
3216 to s. 9(a)(1), Art. XII of the State Constitution or issued  
3217 pursuant to s. 215.605 or s. 338.227, the complaint shall be  
3218 filed in the circuit court of the county where the seat of state  
3219 government is situated, the notice required to be published by  
3220 s. 75.06 shall be published in a newspaper of general  
3221 circulation in the county where the complaint is filed and in  
3222 two other newspapers of general circulation in the state, and

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3223 the complaint and order of the circuit court shall be served  
3224 only on the state attorney of the circuit in which the action is  
3225 pending; provided, however, that if publication of notice  
3226 pursuant to this section would require publication in more  
3227 newspapers than would publication pursuant to s. 75.06, such  
3228 publication shall be made pursuant to s. 75.06.

3229 Section 29. Section 215.965, Florida Statutes, is amended  
3230 to read:

3231 215.965 Disbursement of state moneys.—Except as provided in  
3232 s. 17.076, s. 253.025(17) ~~253.025(14)~~, ~~s. 259.041(18)~~, s.  
3233 717.124(4)(b) and (c), s. 732.107(5), or s. 733.816(5), all  
3234 moneys in the State Treasury shall be disbursed by state  
3235 warrant, drawn by the Chief Financial Officer upon the State  
3236 Treasury and payable to the ultimate beneficiary. This  
3237 authorization shall include electronic disbursement.

3238 Section 30. Subsection (8) of section 253.027, Florida  
3239 Statutes, is amended to read:

3240 253.027 Emergency archaeological property acquisition.—

3241 (8) WAIVER OF APPRAISALS OR SURVEYS.—The Board of Trustees  
3242 of the Internal Improvement Trust Fund may waive or limit any  
3243 appraisal or survey requirements in s. 253.025 ~~259.041~~, if  
3244 necessary to effectuate the purposes of this section. Fee simple  
3245 title is not required to be conveyed if some lesser interest  
3246 will allow the preservation of the archaeological resource.  
3247 Properties purchased pursuant to this section shall be  
3248 considered archaeologically unique or significant properties and  
3249 may be purchased under the provisions of s. 253.025(9)  
3250 ~~253.025(7)~~.

3251 Section 31. Section 253.7824, Florida Statutes, is amended



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3252 to read:

3253           253.7824 Sale of products; proceeds.—The Department of  
3254 Environmental Protection may authorize the removal and sale of  
3255 products from the land where environmentally appropriate, the  
3256 proceeds from which shall be deposited into the appropriate  
3257 trust fund in accordance with the same disposition provided  
3258 under s. 253.0341 ~~253.034(6)(k), (l), or (m)~~ applicable to the  
3259 sale of land.

3260           Section 32. Paragraphs (b) and (c) of subsection (2) of  
3261 section 260.015, Florida Statutes, are amended to read:

3262           260.015 Acquisition of land.—

3263           (2) For purposes of the Florida Greenways and Trails  
3264 Program, the board may:

3265           (b) Accept title to abandoned railroad rights-of-way which  
3266 is conveyed by quitclaim deed through purchase, dedication,  
3267 gift, grant, or settlement, notwithstanding s. 253.025  
3268 ~~259.041(1)~~.

3269           (c) Enter into an agreement or, upon delegation, the  
3270 department may enter into an agreement, with a nonprofit  
3271 corporation, as defined in s. 253.025 ~~259.041(7)(e)~~, to assume  
3272 responsibility for acquisition of lands pursuant to this  
3273 section. The agreement may transfer responsibility for all  
3274 matters which may be delegated or waived pursuant to s. 253.025  
3275 ~~259.041(1)~~.

3276           Section 33. Paragraph (b) of subsection (3) of section  
3277 260.016, Florida Statutes, is amended to read:

3278           260.016 General powers of the department.—

3279           (3) The department or its designee is authorized to  
3280 negotiate with potentially affected private landowners as to the

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3281 terms under which such landowners would consent to the public  
3282 use of their lands as part of the greenways and trails system.  
3283 The department shall be authorized to agree to incentives for a  
3284 private landowner who consents to this public use of his or her  
3285 lands for conservation or recreational purposes, including, but  
3286 not limited to, the following:

3287 (b) Agreement to exchange, subject to the approval of the  
3288 board ~~of Trustees of the Internal Improvement Trust Fund~~ or  
3289 other applicable unit of government, ownership or other rights  
3290 of use of public lands for the ownership or other rights of use  
3291 of privately owned lands. Any exchange of state-owned lands,  
3292 title to which is vested in the board ~~of Trustees of the~~  
3293 ~~Internal Improvement Trust Fund~~, for privately owned lands shall  
3294 be subject to the requirements of s. 253.025 ~~259.041~~.

3295 Section 34. Subsections (6) and (7) of section 369.317,  
3296 Florida Statutes, are amended to read:

3297 369.317 Wekiva Parkway.—

3298 (6) The Central Florida Expressway Authority is hereby  
3299 granted the authority to act as a third-party acquisition agent,  
3300 pursuant to s. 253.025 ~~259.041~~ on behalf of the Board of  
3301 Trustees of the Internal Improvement Trust Fund or chapter 373  
3302 on behalf of the governing board of the St. Johns River Water  
3303 Management District, for the acquisition of all necessary lands,  
3304 property and all interests in property identified herein,  
3305 including fee simple or less than fee ~~less than fee~~ simple  
3306 interests. The lands subject to this authority are identified in  
3307 paragraph 10.a., State of Florida, Office of the Governor,  
3308 Executive Order 03-112 of July 1, 2003, and in Recommendation 16  
3309 of the Wekiva Basin Area Task Force created by Executive Order

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3310 2002-259, such lands otherwise known as Neighborhood Lakes, a  
3311 1,587+/-acre parcel located in Orange and Lake Counties within  
3312 Sections 27, 28, 33, and 34 of Township 19 South, Range 28 East,  
3313 and Sections 3, 4, 5, and 9 of Township 20 South, Range 28 East;  
3314 Seminole Woods/Swamp, a 5,353+/-acre parcel located in Lake  
3315 County within Section 37, Township 19 South, Range 28 East; New  
3316 Garden Coal; a 1,605+/-acre parcel in Lake County within  
3317 Sections 23, 25, 26, 35, and 36, Township 19 South, Range 28  
3318 East; Pine Plantation, a 617+/-acre tract consisting of eight  
3319 individual parcels within the Apopka City limits. The Department  
3320 of Transportation, the Department of Environmental Protection,  
3321 the St. Johns River Water Management District, and other land  
3322 acquisition entities shall participate and cooperate in  
3323 providing information and support to the third-party acquisition  
3324 agent. The land acquisition process authorized by this paragraph  
3325 shall begin no later than December 31, 2004. Acquisition of the  
3326 properties identified as Neighborhood Lakes, Pine Plantation,  
3327 and New Garden Coal, or approval as a mitigation bank shall be  
3328 concluded no later than December 31, 2010. Department of  
3329 Transportation and Central Florida Expressway Authority funds  
3330 expended to purchase an interest in those lands identified in  
3331 this subsection shall be eligible as environmental mitigation  
3332 for road construction related impacts in the Wekiva Study Area.  
3333 If any of the lands identified in this subsection are used as  
3334 environmental mitigation for road-construction-related impacts  
3335 incurred by the Department of Transportation or Central Florida  
3336 Expressway Authority, or for other impacts incurred by other  
3337 entities, within the Wekiva Study Area or within the Wekiva  
3338 parkway alignment corridor, and if the mitigation offsets these

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3339 impacts, the St. Johns River Water Management District and the  
3340 Department of Environmental Protection shall consider the  
3341 activity regulated under part IV of chapter 373 to meet the  
3342 cumulative impact requirements of s. 373.414(8)(a).

3343 (a) Acquisition of the land described in this section is  
3344 required to provide right-of-way for the Wekiva Parkway, a  
3345 limited access roadway linking State Road 429 to Interstate 4,  
3346 an essential component in meeting regional transportation needs  
3347 to provide regional connectivity, improve safety, accommodate  
3348 projected population and economic growth, and satisfy critical  
3349 transportation requirements caused by increased traffic volume  
3350 growth and travel demands.

3351 (b) Acquisition of the lands described in this section is  
3352 also required to protect the surface water and groundwater  
3353 resources of Lake, Orange, and Seminole counties, otherwise  
3354 known as the Wekiva Study Area, including recharge within the  
3355 springshed that provides for the Wekiva River system. Protection  
3356 of this area is crucial to the long term viability of the Wekiva  
3357 River and springs and the central Florida region's water supply.  
3358 Acquisition of the lands described in this section is also  
3359 necessary to alleviate pressure from growth and development  
3360 affecting the surface and groundwater resources within the  
3361 recharge area.

3362 (c) Lands acquired pursuant to this section that are needed  
3363 for transportation facilities for the Wekiva Parkway shall be  
3364 determined not necessary for conservation purposes pursuant to  
3365 ss. 253.0341 ~~253.034(6)~~ and 373.089(5) and shall be transferred  
3366 to or retained by the Central Florida Expressway Authority or  
3367 the Department of Transportation upon reimbursement of the full

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3368 purchase price and acquisition costs.

3369 (7) The Department of Transportation, the Department of  
 3370 Environmental Protection, the St. Johns River Water Management  
 3371 District, Central Florida Expressway Authority, and other land  
 3372 acquisition entities shall cooperate and establish funding  
 3373 responsibilities and partnerships by agreement to the extent  
 3374 funds are available to the various entities. Properties acquired  
 3375 with Florida Forever funds shall be in accordance with s.

3376 253.025 ~~259.041~~ or chapter 373. The Central Florida Expressway  
 3377 Authority shall acquire land in accordance with this section ~~of~~  
 3378 ~~law~~ to the extent funds are available from the various funding  
 3379 partners; however, the authority is, ~~but shall~~ not be required  
 3380 or ~~not~~ assumed to fund the land acquisition beyond the agreement  
 3381 and funding provided by the various land acquisition entities.

3382 Section 35. Paragraph (a) of subsection (3) of section  
 3383 373.139, Florida Statutes, is amended to read:

3384 373.139 Acquisition of real property.-

3385 (3) The initial 5-year work plan and any subsequent  
 3386 modifications or additions thereto shall be adopted by each  
 3387 water management district after a public hearing. Each water  
 3388 management district shall provide at least 14 days' advance  
 3389 notice of the hearing date and shall separately notify each  
 3390 county commission within which a proposed work plan project or  
 3391 project modification or addition is located of the hearing date.

3392 (a) Appraisal reports, offers, and counteroffers are  
 3393 confidential and exempt from ~~the provisions of~~ s. 119.07(1)  
 3394 until an option contract is executed or, if no option contract  
 3395 is executed, until 30 days before a contract or agreement for  
 3396 purchase is considered for approval by the governing board.

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3397 However, each district may, at its discretion, disclose  
3398 appraisal reports to private landowners during negotiations for  
3399 acquisitions using alternatives to fee simple techniques, if the  
3400 district determines that disclosure of such reports will bring  
3401 the proposed acquisition to closure. If ~~In the event that~~  
3402 negotiation is terminated by the district, the appraisal report,  
3403 offers, and counteroffers shall become available pursuant to s.  
3404 119.07(1). Notwithstanding ~~the provisions of~~ this section and s.  
3405 253.025 ~~259.041~~, a district and the Division of State Lands may  
3406 share and disclose appraisal reports, appraisal information,  
3407 offers, and counteroffers when joint acquisition of property is  
3408 contemplated. A district and the Division of State Lands shall  
3409 maintain the confidentiality of such appraisal reports,  
3410 appraisal information, offers, and counteroffers in conformance  
3411 with this section and s. 253.025 ~~259.041~~, except in those cases  
3412 in which a district and the division have exercised discretion  
3413 to disclose such information. A district may disclose appraisal  
3414 information, offers, and counteroffers to a third party who has  
3415 entered into a contractual agreement with the district to work  
3416 with or on the behalf of or to assist the district in connection  
3417 with land acquisitions. The third party shall maintain the  
3418 confidentiality of such information in conformance with this  
3419 section. In addition, a district may use, as its own, appraisals  
3420 obtained by a third party provided the appraiser is selected  
3421 from the district's list of approved appraisers and the  
3422 appraisal is reviewed and approved by the district.

3423 Section 36. Subsection (8) of section 375.031, Florida  
3424 Statutes, is amended to read:

3425 375.031 Acquisition of land; procedures.—

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3426 (8) The department may, if it deems it desirable and in the  
 3427 best interest of the program, request the board of trustees to  
 3428 sell or otherwise dispose of any lands or water storage areas  
 3429 acquired under this act. The board of trustees, when so  
 3430 requested, shall offer the lands or water storage areas, on such  
 3431 terms as the department may determine, first to other state  
 3432 agencies and then, if still available, to the county or  
 3433 municipality in which the lands or water storage areas lie. If  
 3434 not acquired by another state agency or local governmental body  
 3435 for beneficial public purposes, the lands or water storage areas  
 3436 shall then be offered by the board of trustees at public sale,  
 3437 after first giving notice of such sale by publication in a  
 3438 newspaper published in the county or counties in which such  
 3439 lands or water storage areas lie not less than once a week for 3  
 3440 consecutive weeks. All proceeds from the sale or disposition of  
 3441 any lands or water storage areas pursuant to this section shall  
 3442 be deposited into the appropriate trust fund pursuant to s.  
 3443 253.0341 ~~253.034(6)(k), (l), or (m)~~.

3444 Section 37. Subsection (2) of section 375.041, Florida  
 3445 Statutes, is amended to read:

3446 375.041 Land Acquisition Trust Fund.—

3447 (2) All moneys and revenue from the sale or other  
 3448 disposition of land, water areas, or related resources acquired  
 3449 on or after July 1, 2015, for the purposes of s. 28, Art. X of  
 3450 the State Constitution shall be deposited into or credited to  
 3451 the Land Acquisition Trust Fund, except as otherwise provided  
 3452 pursuant to s. 253.0341 ~~253.034(6)(l)~~.

3453 Section 38. Paragraph (a) of subsection (1) of section  
 3454 380.05, Florida Statutes, is amended to read:

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3455 380.05 Areas of critical state concern.—

3456 (1) (a) The state land planning agency may from time to time  
3457 recommend to the Administration Commission specific areas of  
3458 critical state concern. In its recommendation, the agency shall  
3459 include recommendations with respect to the purchase of lands  
3460 situated within the boundaries of the proposed area as  
3461 environmentally endangered lands and outdoor recreation lands  
3462 under the Land Conservation Program Act ~~of 1972~~. The agency also  
3463 shall include any report or recommendation of a resource  
3464 planning and management committee appointed pursuant to s.  
3465 380.045; the dangers that would result from uncontrolled or  
3466 inadequate development of the area and the advantages that would  
3467 be achieved from the development of the area in a coordinated  
3468 manner; a detailed boundary description of the proposed area;  
3469 specific principles for guiding development within the area; an  
3470 inventory of lands owned by the state, federal, county, and  
3471 municipal governments within the proposed area; and a list of  
3472 the state agencies with programs that affect the purpose of the  
3473 designation. The agency shall recommend actions which the local  
3474 government and state and regional agencies must accomplish in  
3475 order to implement the principles for guiding development. These  
3476 actions may include, but need ~~shall~~ not be limited to, revisions  
3477 of the local comprehensive plan and adoption of land development  
3478 regulations, density requirements, and special permitting  
3479 requirements.

3480 Section 39. Paragraph (b) of subsection (5) of section  
3481 380.055, Florida Statutes, is amended to read:

3482 380.055 Big Cypress Area.—

3483 (5) ACQUISITION OF BIG CYPRESS NATIONAL PRESERVE.—



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3484 (b) The Board of Trustees of the Internal Improvement Trust  
3485 Fund shall set aside from the proceeds of the full faith and  
3486 credit bonds authorized by the Land Conservation Program Act ~~of~~  
3487 ~~1972~~, or from other funds authorized, appropriated, or allocated  
3488 for the acquisition of environmentally endangered lands, or from  
3489 both sources, \$40 million for acquisition of the area proposed  
3490 as the Federal Big Cypress National Preserve, Florida, or  
3491 portions thereof.

3492 Section 40. Paragraph (f) of subsection (4) of section  
3493 380.508, Florida Statutes, is amended to read:

3494 380.508 Projects; development, review, and approval.—

3495 (4) Projects or activities which the trust undertakes,  
3496 coordinates, or funds in any manner shall comply with the  
3497 following guidelines:

3498 (f) The trust shall cooperate with local governments, state  
3499 agencies, federal agencies, and nonprofit organizations in  
3500 ensuring the reservation of lands for parks, recreation, fish  
3501 and wildlife habitat, historical preservation, or scientific  
3502 study. If any local government, state agency, federal agency, or  
3503 nonprofit organization is unable, due to limited financial  
3504 resources or other circumstances of a temporary nature, to  
3505 acquire a site for the purposes described in this paragraph, the  
3506 trust may acquire and hold the site for subsequent conveyance to  
3507 the appropriate governmental agency or nonprofit organization.  
3508 The trust may provide such technical assistance as required to  
3509 aid local governments, state and federal agencies, and nonprofit  
3510 organizations in completing acquisition and related functions.  
3511 The trust may not reserve lands acquired in accordance with this  
3512 paragraph for more than 5 years from the time of acquisition. A

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3513 local government, federal or state agency, or nonprofit  
3514 organization may acquire the land at any time during this period  
3515 for public purposes. The purchase price shall be based upon the  
3516 trust's cost of acquisition, plus administrative and management  
3517 costs in reserving the land. The payment of the purchase price  
3518 shall be by money, trust-approved property of an equivalent  
3519 value, or a combination of money and trust-approved property.  
3520 If, after the 5-year period, the trust has not sold to a  
3521 governmental agency or nonprofit organization land acquired for  
3522 site reservation, the trust shall dispose of such land at fair  
3523 market value or shall trade it for other land of comparable  
3524 value which will serve to accomplish the purposes of this part.  
3525 Any proceeds from the sale of such land received by the  
3526 department shall be deposited into the appropriate trust fund  
3527 pursuant to s. 253.0341 ~~253.034(6)(k), (l), or (m)~~.

3528  
3529 Project costs may include costs of providing parks, open space,  
3530 public access sites, scenic easements, and other areas and  
3531 facilities serving the public where such features are part of a  
3532 project plan approved according to this part. In undertaking or  
3533 coordinating projects or activities authorized by this part, the  
3534 trust shall, when appropriate, use and promote the use of  
3535 creative land acquisition methods, including the acquisition of  
3536 less than fee interest through, among other methods,  
3537 conservation easements, transfer of development rights, leases,  
3538 and leaseback arrangements. The trust shall assist local  
3539 governments in the use of sound alternative methods of financing  
3540 for funding projects and activities authorized under this part.  
3541 Any funds over and above eligible project costs, which remain

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3542 after completion of a project approved according to this part,  
3543 shall be transmitted to the state and deposited into the Florida  
3544 Forever Trust Fund.

3545 Section 41. Section 589.07, Florida Statutes, is amended to  
3546 read:

3547 589.07 Florida Forest Service may acquire lands for forest  
3548 purposes.—The Florida Forest Service, on behalf of the state and  
3549 subject to the restrictions mentioned in s. 589.08, may acquire  
3550 lands, suitable for state forest purposes, by gift, donation,  
3551 contribution, purchase, or otherwise and may enter into  
3552 agreements with the Federal Government, or other agency, for  
3553 acquiring by gift, purchase, or otherwise, such lands as are, in  
3554 the judgment of the Florida Forest Service, suitable and  
3555 desirable for state forests. The acquisition procedures for  
3556 state lands provided in s. 253.025 ~~259.041~~ do not apply to  
3557 acquisition of land by the Florida Forest Service.

3558 Section 42. Paragraphs (a) and (b) of subsection (4) of  
3559 section 944.10, Florida Statutes, are amended to read:

3560 944.10 Department of Corrections to provide buildings; sale  
3561 and purchase of land; contracts to provide services and inmate  
3562 labor.—

3563 (4) (a) Notwithstanding s. 253.025 or s. 287.057, whenever  
3564 the department finds it to be necessary for timely site  
3565 acquisition, it may contract without the need for competitive  
3566 selection with one or more appraisers whose names are contained  
3567 on the list of approved appraisers maintained by the Division of  
3568 State Lands of the Department of Environmental Protection in  
3569 accordance with s. 253.025(8) ~~253.025(6)(b)~~. In those instances  
3570 in which the department directly contracts for appraisal

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3571 services, it must also contract with an approved appraiser who  
3572 is not employed by the same appraisal firm for review services.

3573 (b) Notwithstanding s. 253.025(8) ~~253.025(6)~~, the  
3574 department may negotiate and enter into an option contract  
3575 before an appraisal is obtained. The option contract must state  
3576 that the final purchase price cannot exceed the maximum value  
3577 allowed by law. The consideration for such an option contract  
3578 may not exceed 10 percent of the estimate obtained by the  
3579 department or 10 percent of the value of the parcel, whichever  
3580 amount is greater.

3581 Section 43. Subsections (6) and (7) of section 957.04,  
3582 Florida Statutes, are amended to read:

3583 957.04 Contract requirements.—

3584 (6) Notwithstanding s. 253.025(9) ~~253.025(7)~~, the Board of  
3585 Trustees of the Internal Improvement Trust Fund need not approve  
3586 a lease-purchase agreement negotiated by the Department of  
3587 Management Services if the Department of Management Services  
3588 finds that there is a need to expedite the lease-purchase.

3589 (7) (a) Notwithstanding s. 253.025 or s. 287.057, whenever  
3590 the Department of Management Services finds it to be in the best  
3591 interest of timely site acquisition, it may contract without the  
3592 need for competitive selection with one or more appraisers whose  
3593 names are contained on the list of approved appraisers  
3594 maintained by the Division of State Lands of the Department of  
3595 Environmental Protection in accordance with s. 253.025(8)  
3596 ~~253.025(6)(b)~~. In those instances when the Department of  
3597 Management Services directly contracts for appraisal services,  
3598 it shall also contract with an approved appraiser who is not  
3599 employed by the same appraisal firm for review services.

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3600 (b) Notwithstanding s. 253.025(8) ~~253.025(6)~~, the  
3601 Department of Management Services may negotiate and enter into  
3602 lease-purchase agreements before an appraisal is obtained. Any  
3603 such agreement must state that the final purchase price cannot  
3604 exceed the maximum value allowed by law.

3605 Section 44. Paragraphs (a) and (b) of subsection (12) of  
3606 section 985.682, Florida Statutes, are amended to read:

3607 985.682 Siting of facilities; criteria.—

3608 (12) (a) Notwithstanding s. 253.025 or s. 287.057, when the  
3609 department finds it necessary for timely site acquisition, it  
3610 may contract, without using the competitive selection procedure,  
3611 with an appraiser whose name is on the list of approved  
3612 appraisers maintained by the Division of State Lands of the  
3613 Department of Environmental Protection under s. 253.025(8)  
3614 ~~253.025(6)(b)~~. When the department directly contracts for  
3615 appraisal services, it must contract with an approved appraiser  
3616 who is not employed by the same appraisal firm for review  
3617 services.

3618 (b) Notwithstanding s. 253.025(8) ~~253.025(6)~~, the  
3619 department may negotiate and enter into an option contract  
3620 before an appraisal is obtained. The option contract must state  
3621 that the final purchase price may not exceed the maximum value  
3622 allowed by law. The consideration for such an option contract  
3623 may not exceed 10 percent of the estimate obtained by the  
3624 department or 10 percent of the value of the parcel, whichever  
3625 amount is greater.

3626 Section 45. Paragraph (b) of subsection (1) of section  
3627 1013.14, Florida Statutes, is amended to read:

3628 1013.14 Proposed purchase of real property by a board;

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3629 confidentiality of records; procedure.-

3630 (1)

3631 (b) Before ~~Prior to~~ acquisition of the property, the board  
3632 shall obtain at least one appraisal by an appraiser approved  
3633 pursuant to s. 253.025(8) ~~253.025(6)(b)~~ for each purchase in an  
3634 amount greater than \$100,000 and not more than \$500,000. For  
3635 each purchase in an amount in excess of \$500,000, the board  
3636 shall obtain at least two appraisals by appraisers approved  
3637 pursuant to s. 253.025(8) ~~253.025(6)(b)~~. If the agreed to  
3638 purchase price exceeds the average appraised value, the board is  
3639 required to approve the purchase by an extraordinary vote.

3640 Section 46. For the 2016-2017 fiscal year, the sums of  
3641 \$396,040 in recurring funds and \$1,370,528 in nonrecurring funds  
3642 from the General Revenue Fund are appropriated to the Department  
3643 of Environmental Protection, and four full-time equivalent  
3644 positions with associated salary rate of 182,968 are authorized,  
3645 for the purpose of implementing the amendments made by this act  
3646 to ss. 253.034 and 253.0341, Florida Statutes, and the  
3647 provisions of s. 253.87, Florida Statutes, as created by this  
3648 act.

3649 Section 47. This act shall take effect July 1, 2016.