

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA
 ENVIRONMENTAL PRESERVATION AND CONSERVATION
 Senator Dean, Chair
 Senator Simpson, Vice Chair

MEETING DATE: Wednesday, February 18, 2015

TIME: 2:00 —5:00 p.m.

PLACE: Mallory Horne Committee Room, 37 Senate Office Building

MEMBERS: Senator Dean, Chair; Senator Simpson, Vice Chair; Senators Altman, Evers, Hays, Simmons, Smith, and Soto

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 576 Dean	Land Acquisition Trust Fund/Agency for Persons with Disabilities ; Creating the Land Acquisition Trust Fund within the Agency for Persons with Disabilities; providing for the purpose of the trust fund and sources of funds; requiring that title to lands or related property interests acquired be vested in the Board of Trustees of the Internal Improvement Trust Fund; requiring the agency or its designee to manage the lands or property interests acquired in accordance with the purposes set forth in s. 28, Art. X of the State Constitution; providing for future review and termination or re-creation of the trust fund, etc. EP 02/18/2015 Favorable AGG AP	Favorable Yeas 8 Nays 0
2	SB 578 Dean	Land Acquisition Trust Fund/Department of Agriculture and Consumer Services; Creating the Land Acquisition Trust Fund within the Department of Agriculture and Consumer Services; providing for the purpose of the trust fund and sources of funds; providing for future review and termination or re-creation of the trust fund, etc. EP 02/18/2015 Favorable AGG AP	Favorable Yeas 8 Nays 0
3	SB 580 Dean	Land Acquisition Trust Fund/Department of State; Creating the Land Acquisition Trust Fund within the Department of State; providing for the purpose of the trust fund and sources of funds; providing for future review and termination or re-creation of the trust fund, etc. EP 02/18/2015 Favorable AGG AP	Favorable Yeas 8 Nays 0

COMMITTEE MEETING EXPANDED AGENDA
Environmental Preservation and Conservation
Wednesday, February 18, 2015, 2:00 —5:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 582 Dean	Land Acquisition Trust Fund/Department of Transportation; Creating the Land Acquisition Trust Fund within the Department of Transportation; providing for the purpose of the trust fund and sources of funds; requiring that title to lands or related property interests acquired be vested by the state; requiring the department or its designee to manage lands or related property interests acquired in accordance with the purposes set forth in s. 28, Art. X of the State Constitution; providing for future review and termination or re-creation of the trust fund, etc. EP 02/18/2015 Favorable AGG AP	Favorable Yeas 8 Nays 0
5	SB 584 Dean (Compare S 586)	Implementation of the Water and Land Conservation Constitutional Amendment; Terminating certain trust funds within the Department of Environmental Protection, the Department of Agriculture and Consumer Services, and the Fish and Wildlife Conservation Commission; requiring moneys in land acquisition trust funds created or designated to receive funds under s. 28, Art. X of the State Constitution to be retained in those trust funds; repealing provisions relating to beach erosion control project staffing; authorizing a percentage of proceeds from the phosphate rock excise tax to be credited to the State Park Trust Fund, etc. EP 02/18/2015 Favorable AGG AP	Favorable Yeas 8 Nays 0
6	SB 586 Dean (Compare S 584)	Implementation of The Water and Land Conservation Constitutional Amendment; Providing that specified distributions to the Land Acquisition Trust Fund are not subject to the service charge under s. 215.20, F.S.; repealing provisions relating to beach erosion control project staffing, funding for the state's beach management plan, and the Florida Preservation 2000 Trust Fund; requiring specified public recreation projects to have been selected through the Department of Environmental Protection's competitive selection process prior to the release of funds, etc. EP 02/18/2015 Fav/CS AGG AP	Fav/CS Yeas 5 Nays 2
7	Other Related Meeting Documents		

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Environmental Preservation and Conservation

BILL: SB 576

INTRODUCER: Senator Dean

SUBJECT: Land Acquisition Trust Fund/Agency for Persons with Disabilities

DATE: February 17, 2015

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Gudeman	Uchino	EP	Favorable
2. _____	_____	AGG	_____
3. _____	_____	AP	_____

I. Summary:

SB 576 creates the Land Acquisition Trust Fund (LATF) within the Agency for Persons with Disabilities (APD). This trust fund is established as a depository for funds received from the LATF within the Department of Environmental Protection (DEP). Expenditure of the funds in the LATF within the APD must be for the purposes specified in article X, section 28 of the Florida Constitution.

II. Present Situation:

In 2014, Florida voters approved a constitutional amendment proposed by Florida's Water and Land Legacy to provide a dedicated funding source for water and land conservation and restoration.¹ The amendment created article X, section 28 of the Florida Constitution and was approved by 75 percent of the electors voting on the issue.

The amendment requires that starting on July 1, 2015, for 20 years, 33 percent of net revenues derived from the existing excise tax on documents, as defined by the statutes in effect on January 1, 2012, must be deposited into the LATF.²

The amendment requires that funds in the LATF be expended only for the following purposes:

- As provided by law, to finance or refinance:

¹ The founding organizations of Florida's Water and Land Legacy are: The Trust for Public Land, Audubon Florida, Florida Wildlife Federation, Sierra Club Florida, Florida Conservation Alliance Institute, Alachua Conservation Trust, 1000 Friends of Florida, Defenders of Wildlife, Conservation Trust for Florida, The Conservation Fund, The Nature Conservancy, Florida Conservation Coalition, and Rails to Trails Conservancy. Florida's Water and Land Legacy, *Non-Profit Endorsements*, <http://floridawaterlandlegacy.org/sections/page/endorers> (last visited Feb. 6, 2015).

² The net revenues are the amount of revenues after the Department of Revenue first deducts a service charge to pay the costs of the collection and enforcement of the excise tax on documents.

- the acquisition and improvement of land, water areas, and related property interests, including conservation easements, and resources for conservation lands including wetlands, forests, and fish and wildlife habitat;
- wildlife management areas;
- lands that protect water resources and drinking water sources, including lands protecting the water quality and quantity of rivers, lakes, streams, springsheds, and lands providing recharge for groundwater and aquifer systems;
- lands in the Everglades Agricultural Area and the Everglades Protection Area, as defined in article II, section 7(b) of the Florida Constitution;
- beaches and shores;
- outdoor recreation lands, including recreational trails, parks, and urban open space;
- rural landscapes;
- working farms and ranches;
- historic or geologic sites;
- together with management, restoration of natural systems, and the enhancement of public access or recreational enjoyment of conservation lands.

The amendment authorizes moneys deposited into the LATF to be used to pay debt service on bonds issued pursuant to article VII, section 11(e) of the Florida Constitution, and prohibits moneys deposited into the LATF from being commingled with the General Revenue Fund of the state.³

Pursuant to s. 201.15(1)(a), F.S., the LATF within the DEP receives revenue from the excise tax on documents to pay debt service on bonds issued pursuant to article VII, section 11(e) of the Florida Constitution for the Florida Forever and Everglades restoration programs. An LATF also exists in the Fish and Wildlife Conservation Commission;⁴ however, that trust fund does not receive funds from the excise tax on documents pursuant to s. 201.15, F.S.

Article III, section 19(f)(1) of the Florida Constitution requires every trust fund to be created by a three-fifths vote of the membership in each house of the Legislature, in a separate bill, for the sole purpose of creating that trust fund. The constitution also provides that all newly created trust funds terminate no more than four years after the initial creation, unless re-created.

III. Effect of Proposed Changes:

The bill creates an LATF within the APD. The trust fund will serve as a depository for funds received from the LATF within the DEP. The funds must be used for the purposes set forth in article X, section 28 of the Florida Constitution.

The bill requires the APD maintain the integrity of moneys transferred to it by the DEP. It also requires that funds available in the new trust fund from reversions or reductions in budget authority be transferred back to the LATF within the DEP within 15 days after reversion or

³ FLA. CONST. art VII, s. 11(e), provides, “[b]onds pledging all or part of a dedicated state tax revenue may be issued by the state in the manner provided by general law to finance or refinance the acquisition and improvement of land, water areas, and related property interests and resources for the purposes of conservation, outdoor recreation, water resource development, restoration of natural systems, and historic preservation.”

⁴ See s. 379.212, F.S.

reduction. These funds are available for future appropriation for the purposes set forth in article X, section 28 of the Florida Constitution.

Additionally, the bill requires that the Board of Trustees of the Internal Improvement Trust Fund holds title to lands acquired through expenditures from the newly created LATF within the APD. The acquisition of such land is accomplished through a voluntary negotiated process using the acquisition procedures in s. 253.025, F.S. The acquisition costs include the purchase price and cost and fees associated with the title, surveys, and appraisals required to complete the acquisition.⁵

The APD is responsible for managing such lands for the purposes set forth in article X, section 28 of the Florida Constitution. Other uses of such lands are permitted if the use is not contrary to those purposes.⁶

Interest from investments of funds in the LATF within the APD will be deposited into the General Revenue Fund.

The trust fund will terminate four years after creation, on July 1, 2019, pursuant to article III, section 19(f)(2) of the Florida Constitution, unless re-created by the Legislature.

The bill takes effect July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

Pursuant to article III, section 19(f)(1) of the Florida Constitution, a bill that creates a new trust fund must pass by a three-fifths vote of the membership of each house of the Legislature in a separate bill for that purpose only.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

⁵ A similar provision exists in s. 379.212(1)(c) and (d), F.S., with respect to the LATF within the Fish and Wildlife Conservation Commission.

⁶ *Id.*

B. Private Sector Impact:

None.

C. Government Sector Impact:

The creation of the LATF within the APD will allow the agency to separately account for funds received from the LATF within the DEP, ensure that expenditures from the new trust fund are for the purposes specified in article X, section 28 of the Florida Constitution, and ensure that moneys in the new trust fund are not commingled with other funds.

VI. Technical Deficiencies:

The cross-reference to s. 253.025, F.S., on line 49 relates to the acquisition of lands for purposes other than preservation, conservation, and recreation. It is likely, the correct cross-reference should be to s. 259.041, F.S., relating to the acquisition of lands for preservation, conservation, and recreation.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 20.1971 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/17/2015	.	
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The Committee on Environmental Preservation and Conservation
(Dean) recommended the following:

Senate Amendment

Delete line 49
and insert:
is subject to the acquisition procedures of s. 259.041.

By Senator Dean

5-00848-15

2015576__

A bill to be entitled
An act relating to trust funds; amending s. 20.1971,
F.S.; creating the Land Acquisition Trust Fund within
the Agency for Persons with Disabilities; providing
for the purpose of the trust fund and sources of
funds; requiring the agency to maintain the integrity
of such funds; providing for disposition of funds
available from reversions or reductions in budget
authority; requiring that title to lands or related
property interests acquired be vested in the Board of
Trustees of the Internal Improvement Trust Fund;
requiring the agency or its designee to manage the
lands or property interests acquired in accordance
with the purposes set forth in s. 28, Art. X of the
State Constitution; providing a restriction on how
funds may be invested; providing for future review and
termination or re-creation of the trust fund;
providing an effective date.

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

Section 1. Subsection (6) is added to section 20.1971,
Florida Statutes, to read:

20.1971 Agency for Persons with Disabilities; trust funds.—
The following trust funds shall be administered by the Agency
for Persons with Disabilities:

(6) The Land Acquisition Trust Fund.

(a) Funds to be credited to the trust fund shall consist of
funds received from the Land Acquisition Trust Fund within the

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Department of Environmental Protection. Funds shall be used for the purposes set forth in s. 28, Art. X of the State Constitution.

(b) The Agency for Persons with Disabilities must maintain integrity of such moneys transferred from the Department of Environmental Protection. Any transferred moneys available from reversions or reductions in budget authority shall be transferred back to the Land Acquisition Trust Fund within the Department of Environmental Protection within 15 days after such reversion or reduction and shall be available for future appropriation for the purposes set forth in s. 28, Art. X of the State Constitution.

(c) If expenditures from the trust fund will result in state ownership of land or related property interests, title shall be vested in the Board of Trustees of the Internal Improvement Trust Fund as required under chapter 253. Such acquisition of land or related property interests shall be by voluntary, negotiated acquisition and, if title is to be vested in the Board of Trustees of the Internal Improvement Trust Fund, is subject to the acquisition procedures of s. 253.025. Acquisition costs shall include purchase prices and costs and fees associated with title work, surveys, and appraisals required to complete the acquisition. The Agency for Persons with Disabilities or its designee shall manage such lands or related property interests in accordance with the purposes set forth in s. 28, Art. X of the State Constitution. Other uses, not contrary to such purposes, may be authorized.

(d) Moneys in the trust fund may not be invested as provided in s. 17.61, but shall be retained in the trust fund

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2015576__

59 for investment with interest appropriated to the General Revenue
60 Fund as provided in s. 17.57.

61 (e) In accordance with s. 19(f)(2), Art. III of the State
62 Constitution the Land Acquisition Trust Fund within the Agency
63 for Persons with Disabilities shall, unless terminated sooner,
64 be terminated on July 1, 2019. Before its scheduled termination,
65 the trust fund shall be reviewed as provided under s. 215.3206.

66 Section 2. This act shall take effect July 1, 2015.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Environmental Preservation and Conservation

BILL: SB 578

INTRODUCER: Senator Dean

SUBJECT: Land Acquisition Trust Fund/Department of Agriculture and Consumer Services

DATE: February 17, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Gudeman	Uchino	EP	Favorable
2.			AGG	
3.			AP	

I. Summary:

SB 578 creates the Land Acquisition Trust Fund (LATF) within the Department of Agriculture and Consumer Services (DACS). This trust fund is established as a depository for funds received from the LATF within the Department of Environmental Protection (DEP). Expenditure of the funds in the LATF within the DACS must be for the purposes specified in Article X, section 28 of the Florida Constitution.

II. Present Situation:

In 2014, Florida voters approved a constitutional amendment proposed by Florida's Water and Land Legacy to provide a dedicated funding source for water and land conservation and restoration.¹ The amendment created article X, section 28 of the Florida Constitution and was approved by 75 percent of the electors voting on the issue.

The amendment requires that starting on July 1, 2015, for 20 years, 33 percent of net revenues derived from the existing excise tax on documents, as defined by the statutes in effect on January 1, 2012, must be deposited into the LATF.²

The amendment requires that funds in the LATF be expended only for the following purposes:

- As provided by law, to finance or refinance:

¹ The founding organizations of Florida's Water and Land Legacy are: The Trust for Public Land, Audubon Florida, Florida Wildlife Federation, Sierra Club Florida, Florida Conservation Alliance Institute, Alachua Conservation Trust, 1000 Friends of Florida, Defenders of Wildlife, Conservation Trust for Florida, The Conservation Fund, The Nature Conservancy, Florida Conservation Coalition, and Rails to Trails Conservancy. Florida's Water and Land Legacy, *Non-Profit Endorsements*, <http://floridawaterlandlegacy.org/sections/page/endorsers> (last visited Feb. 6, 2015).

² The net revenues are the amount of revenues after the Department of Revenue first deducts a service charge to pay the costs of the collection and enforcement of the excise tax on documents.

- the acquisition and improvement of land, water areas, and related property interests, including conservation easements, and resources for conservation lands including wetlands, forests, and fish and wildlife habitat;
- wildlife management areas;
- lands that protect water resources and drinking water sources, including lands protecting the water quality and quantity of rivers, lakes, streams, springsheds, and lands providing recharge for groundwater and aquifer systems;
- lands in the Everglades Agricultural Area and the Everglades Protection Area, as defined in article II, section 7(b) of the Florida Constitution;
- beaches and shores;
- outdoor recreation lands, including recreational trails, parks, and urban open space;
- rural landscapes;
- working farms and ranches;
- historic or geologic sites;
- together with management, restoration of natural systems, and the enhancement of public access or recreational enjoyment of conservation lands.

The amendment authorizes moneys deposited into the LATF to be used to pay debt service on bonds issued pursuant to article VII, section 11(e) of the Florida Constitution, and prohibits moneys deposited into the LATF from being commingled with the General Revenue Fund of the state.³

Pursuant to s. 201.15(1)(a), F.S., the LATF within the DEP receives revenue from the excise tax on documents to pay debt service on bonds issued pursuant to article VII, section 11(e) of the Florida Constitution for the Florida Forever and Everglades restoration programs. An LATF also exists in the Fish and Wildlife Conservation Commission;⁴ however, that trust fund does not receive funds from the excise tax on documents pursuant to s. 201.15, F.S.

Article III, section 19(f)(1) of the Florida Constitution requires every trust fund to be created by a three-fifths vote of the membership in each house of the Legislature, in a separate bill, for the sole purpose of creating that trust fund. The constitution also provides that all newly created trust funds terminate no more than four years after the initial creation, unless re-created.

III. Effect of Proposed Changes:

The bill creates an LATF within the DACS. The trust fund will serve as a depository for funds received from the LATF within the DEP. The funds must be used for the purposes set forth in article X, section 28 of the Florida Constitution.

The bill requires the DACS to maintain the integrity of moneys transferred to it by the DEP. It also requires that funds available in the new trust fund from reversions or reductions in budget authority be transferred back to the LATF within the DEP within 15 days after reversion or

³ FLA. CONST. art VII, s. 11(e), provides, “[b]onds pledging all or part of a dedicated state tax revenue may be issued by the state in the manner provided by general law to finance or refinance the acquisition and improvement of land, water areas, and related property interests and resources for the purposes of conservation, outdoor recreation, water resource development, restoration of natural systems, and historic preservation.”

⁴ See s. 379.212, F.S.

reduction. These funds are available for future appropriation for the purposes set forth in article X, section 28 of the Florida Constitution.

Additionally, the bill requires that the Board of Trustees of the Internal Improvement Trust Fund holds title to lands acquired through expenditures from the newly created LATF within DACS. The acquisition of such land is accomplished through a voluntary negotiated process using the acquisition procedures in s. 253.025, F.S. The acquisition costs include the purchase price and cost and fees associated with the title, surveys, and appraisals required to complete the acquisition.⁵

The DACS is responsible for managing such lands for the purposes set forth in article X, section 28 of the Florida Constitution. Other uses of such lands are permitted if the use is not contrary to those purposes.⁶

Interest from investments of funds in the LATF within the DACS will be deposited into the General Revenue Fund.

The trust fund will terminate four years after creation, on July 1, 2019, pursuant to article III, section 19(f)(2) of the Florida Constitution, unless re-created by the Legislature.

The bill takes effect July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

Pursuant to article III, section 19(f)(1) of the Florida Constitution, a bill that creates a new trust fund must pass by a three-fifths vote of the membership of each house of the Legislature, in a separate bill for that purpose only.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

⁵ A similar provision exists in s. 379.212(1)(c) and (d), F.S., with respect to the LATF within the Fish and Wildlife Conservation Commission.

⁶ *Id.*

B. Private Sector Impact:

None.

C. Government Sector Impact:

Creation of the LATF within the DACS will allow the department to separately account for funds received from the LATF within the DEP, ensure that expenditures from the new trust fund are for the purposes specified in article X, section 28 of the Florida Constitution, and ensure that moneys in the new trust fund are not commingled with other funds.

VI. Technical Deficiencies:

The cross-reference to s. 253.025, F.S., on line 48 relates to the acquisition of lands for purposes other than preservation, conservation, and recreation. It is likely, the correct cross-reference should be to s. 259.041, F.S., relating to the acquisition of lands for preservation, conservation, and recreation.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 20.142 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/17/2015	.	
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The Committee on Environmental Preservation and Conservation
(Dean) recommended the following:

Senate Amendment

Delete line 48
and insert:
is subject to the acquisition procedures of s. 259.041.

By Senator Dean

5-00834-15

2015578__

A bill to be entitled
An act relating to trust funds; creating s. 20.142,
F.S.; creating the Land Acquisition Trust Fund within
the Department of Agriculture and Consumer Services;
providing for the purpose of the trust fund and
sources of funds; requiring the department to maintain
the integrity of such funds; providing for disposition
of funds from reversions or reductions in budget
authority from the trust fund; requiring that title to
lands or related property interests acquired be vested
in the Board of Trustees of the Internal Improvement
Trust Fund; requiring the department or its designee
to manage lands or related property interests acquired
in accordance with the purposes set forth in s. 28,
Art. X of the State Constitution; providing a
restriction on how funds may be invested; providing
for future review and termination or re-creation of
the trust fund; providing an effective date.

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

Section 1. Section 20.142, Florida Statutes, is created to
read:

20.142 Land Acquisition Trust Fund.—

(1) The Land Acquisition Trust Fund is created within the
Department of Agriculture and Consumer Services. The trust fund
is established for use as a depository for funds received from
the Land Acquisition Trust Fund within the Department of
Environmental Protection and for expenditure of such funds for

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the purposes set forth in s. 28, Art. X of the State
Constitution.

(2) The Department of Agriculture and Consumer Services
must maintain the integrity of such moneys transferred from the
Department of Environmental Protection. Any transferred moneys
available from reversions or reductions in budget authority
shall be transferred back to the Land Acquisition Trust Fund
within the Department of Environmental Protection within 15 days
after such reversion or reduction and shall be available for
future appropriation for the purposes set forth in s. 28, Art. X
of the State Constitution.

(3) If expenditures from the trust fund will result in
state ownership of land or related property interests, title
shall be vested in the Board of Trustees of the Internal
Improvement Trust Fund as required under chapter 253. Such
acquisition of land or related property interests shall be by
voluntary, negotiated acquisition and, if title is to be vested
in the Board of Trustees of the Internal Improvement Trust Fund,
is subject to the acquisition procedures of s. 253.025.
Acquisition costs shall include purchase prices and costs and
fees associated with title work, surveys, and appraisals
required to complete an acquisition. The Department of
Agriculture and Consumer Services or its designee shall manage
such lands or related property interests in accordance with the
purposes set forth in s. 28, Art. X of the State Constitution.
Other uses, not contrary to such purposes, may be authorized.

(4) Moneys in the trust fund may not be invested as
provided in s. 17.61, but shall be retained in the trust fund
for investment with interest appropriated to the General Revenue

5-00834-15

2015578__

59 Fund as provided in s. 17.57.

60 (5) In accordance with s. 19(f)(2), Art. III of the State
61 Constitution, the Land Acquisition Trust Fund within the
62 Department of Agriculture and Consumer Services shall, unless
63 terminated sooner, be terminated on July 1, 2019. Before its
64 scheduled termination, the trust fund shall be reviewed as
65 provided in s. 215.3206.

66 Section 2. This act shall take effect July 1, 2015.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Environmental Preservation and Conservation

BILL: SB 580

INTRODUCER: Senator Dean

SUBJECT: Land Acquisition Trust Fund/Department of State

DATE: February 17, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Gudeman	Uchino	EP	Favorable
2.			AGG	
3.			AP	

I. Summary:

SB 580 creates the Land Acquisition Trust Fund (LATF) within the Department of State (DOS). This trust fund is established as a depository for funds received from the LATF within the Department of Environmental Protection (DEP). Expenditure of the funds in the LATF within the DOS must be for the purposes specified in article X, section 28 of the Florida Constitution.

II. Present Situation:

In 2014, Florida voters approved a constitutional amendment proposed by Florida's Water and Land Legacy to provide a dedicated funding source for water and land conservation and restoration.¹ The amendment created article X, section 28 of the Florida Constitution and was approved by 75 percent of the electors voting on the issue.

The amendment requires that starting on July 1, 2015, for 20 years, 33 percent of net revenues derived from the existing excise tax on documents, as defined by the statutes in effect on January 1, 2012, must be deposited into the LATF.²

The amendment requires that funds in the LATF be expended only for the following purposes:

- As provided by law, to finance or refinance:

¹ The founding organizations of Florida's Water and Land Legacy are: The Trust for Public Land, Audubon Florida, Florida Wildlife Federation, Sierra Club Florida, Florida Conservation Alliance Institute, Alachua Conservation Trust, 1000 Friends of Florida, Defenders of Wildlife, Conservation Trust for Florida, The Conservation Fund, The Nature Conservancy, Florida Conservation Coalition, and Rails to Trails Conservancy. Florida's Water and Land Legacy, *Non-Profit Endorsements*, <http://floridawaterlandlegacy.org/sections/page/endorsers> (last visited Feb. 6, 2015).

² The net revenues are the amount of revenues after the Department of Revenue first deducts a service charge to pay the costs of the collection and enforcement of the excise tax on documents.

- the acquisition and improvement of land, water areas, and related property interests, including conservation easements, and resources for conservation lands including wetlands, forests, and fish and wildlife habitat;
- wildlife management areas;
- lands that protect water resources and drinking water sources, including lands protecting the water quality and quantity of rivers, lakes, streams, springsheds, and lands providing recharge for groundwater and aquifer systems;
- lands in the Everglades Agricultural Area and the Everglades Protection Area, as defined in article II, section 7(b) of the Florida Constitution;
- beaches and shores;
- outdoor recreation lands, including recreational trails, parks, and urban open space;
- rural landscapes;
- working farms and ranches;
- historic or geologic sites;
- together with management, restoration of natural systems, and the enhancement of public access or recreational enjoyment of conservation lands.

The amendment authorizes moneys deposited into the LATF to be used to pay debt service on bonds issued pursuant to article VII, section 11(e) of the Florida Constitution, and prohibits moneys deposited into the LATF from being commingled with the General Revenue Fund of the state.³

Pursuant to s. 201.15(1)(a), F.S., the LATF within the DEP receives revenue from the excise tax on documents to pay debt service on bonds issued pursuant to article VII, section 11(e) of the Florida Constitution for the Florida Forever and Everglades restoration programs. An LATF also exists in the Fish and Wildlife Conservation Commission;⁴ however, that trust fund does not receive funds from the excise tax on documents pursuant to s. 201.15, F.S.

Article III, section 19(f)(1) of the Florida Constitution requires every trust fund to be created by a three-fifths vote of the membership in each house of the Legislature, in a separate bill, for the sole purpose of creating that trust fund. The constitution also provides that all newly created trust funds terminate no more than four years after the initial creation, unless re-created.

III. Effect of Proposed Changes:

The bill creates an LATF within the DOS. The trust fund will serve as a depository for funds received from the LATF within the DEP. The funds must be used for the purposes set forth in article X, section 28 of the Florida Constitution.

The bill requires the DOS to maintain the integrity of moneys transferred to it by the DEP. It also requires that funds available in the new trust fund from reversions or reductions in budget authority be transferred back to the LATF within the DEP within 15 days after reversion or

³ FLA. CONST. art VII, s. 11(e), provides, “[b]onds pledging all or part of a dedicated state tax revenue may be issued by the state in the manner provided by general law to finance or refinance the acquisition and improvement of land, water areas, and related property interests and resources for the purposes of conservation, outdoor recreation, water resource development, restoration of natural systems, and historic preservation.”

⁴ See s. 379.212, F.S.

reduction. These funds are available for future appropriation for the purposes set forth in article X, section 28 of the Florida Constitution.

Additionally, the bill requires that the Board of Trustees of the Internal Improvement Trust Fund holds title to lands acquired through expenditures from the newly created LATF within DOS. The acquisition of such land is accomplished through a voluntary negotiated process using the acquisition procedures in s. 253.025, F.S. The acquisition costs include the purchase price and cost and fees associated with the title, survey, and appraisals required to complete the acquisition.⁵

The DOS is responsible for managing such lands for the purposes set forth in article X, section 28 of the Florida Constitution. Other uses of such lands are permitted if the use is not contrary to those purposes.⁶

Interest from investments of funds in the LATF within the DOS will be deposited into the General Revenue Fund.

The trust fund will terminate four years after creation, on July 1, 2019, pursuant to article III, section 19(f)(2) of the Florida Constitution, unless re-created by the Legislature.

The bill takes effect July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

Pursuant to article III, section 19(f)(1) of the Florida Constitution, a bill that creates a new trust fund must pass by a three-fifths vote of the membership of each house of the Legislature in a separate bill for that purpose only.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

⁵ A similar provision exists in s. 379.212(1)(c) and (d), F.S., with respect to the LATF within the Fish and Wildlife Conservation Commission.

⁶ *Id.*

B. Private Sector Impact:

None.

C. Government Sector Impact:

Creation of the LATF within the DOS will allow the department to separately account for funds received from the LATF within the DEP, ensure that expenditures from the new trust fund are for the purposes specified in article X, section 28 of the Florida Constitution, and ensure that moneys in the new trust fund are not commingled with other funds.

VI. Technical Deficiencies:

The cross-reference to s. 253.025, F.S., on line 47 relates to the acquisition of lands for purposes other than preservation, conservation, and recreation. It is likely, the correct cross-reference should be to s. 259.041, F.S., relating to the acquisition of lands for preservation, conservation, and recreation.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 20.106 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.



770020

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/17/2015	.	
	.	
	.	
	.	

The Committee on Environmental Preservation and Conservation
(Dean) recommended the following:

Senate Amendment

Delete line 47
and insert:
is subject to the acquisition procedures of s. 259.041.

By Senator Dean

5-00823-15

2015580__

A bill to be entitled

An act relating to trust funds; creating s. 20.106, F.S.; creating the Land Acquisition Trust Fund within the Department of State; providing for the purpose of the trust fund and sources of funds; requiring the department to maintain the integrity of such funds; providing for disposition of funds from reversions or reductions in budget authority from the trust fund; requiring that title to lands or related property interests acquired be vested in the Board of Trustees of the Internal Improvement Trust Fund; requiring the department or its designee to manage lands or related property interests in accordance with the purposes set forth in s. 28, Art. X of the State Constitution; providing a restriction on how funds may be invested; providing for future review and termination or re-creation of the trust fund; providing an effective date.

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

Section 1. Section 20.106, Florida Statutes, is created to read:

20.106 Land Acquisition Trust Fund.—

(1) The Land Acquisition Trust Fund is created within the Department of State. The trust fund is established for use as a depository for funds received from the Land Acquisition Trust Fund within the Department of Environmental Protection and for expenditure of such funds for the purposes set forth in s. 28,

5-00823-15

2015580__

Art. X of the State Constitution.

(2) The Department of State must maintain the integrity of such moneys transferred from the Department of Environmental Protection. Any transferred moneys available from reversions or reductions in budget authority shall be transferred back to the Land Acquisition Trust Fund within the Department of Environmental Protection within 15 days after such reversion or reduction and shall be available for future appropriation for the purposes set forth in s. 28, Art. X of the State Constitution.

(3) If expenditures from the trust fund will result in state ownership of land or related property interests, title shall be vested in the Board of Trustees of the Internal Improvement Trust Fund as required under chapter 253. Such acquisition of land or related property interests shall be by voluntary, negotiated acquisition and, if title is to be vested in the Board of Trustees of the Internal Improvement Trust Fund, is subject to the acquisition procedures of s. 253.025. Acquisition costs include purchase prices and costs and fees associated with title work, surveys, and appraisals required to complete an acquisition. The Department of State or its designee shall manage such lands or related property interests in accordance with the purposes set forth in s. 28, Art. X of the State Constitution. Other uses, not contrary to such purposes, may be authorized.

(4) Moneys in the trust fund may not be invested as provided in s. 17.61, but shall be retained in the trust fund for investment with interest appropriated to the General Revenue Fund as provided in s. 17.57.

5-00823-15

2015580__

59 (5) In accordance with s. 19(f)(2), Art. III of the State
60 Constitution, the Land Acquisition Trust Fund within the
61 Department of State shall, unless terminated sooner, be
62 terminated on July 1, 2019. Before its scheduled termination,
63 the trust fund shall be reviewed as provided in s. 215.3206.

64 Section 2. This act shall take effect July 1, 2015.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Environmental Preservation and Conservation

BILL: SB 582

INTRODUCER: Senator Dean

SUBJECT: Land Acquisition Trust Fund/Department of Transportation

DATE: February 17, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Gudeman	Uchino	EP	Favorable
2.			AGG	
3.			AP	

I. Summary:

SB 582 creates the Land Acquisition Trust Fund (LATF) within the Florida Department of Transportation (FDOT). This trust fund is established as a depository for funds received from the LATF within the Department of Environmental Protection (DEP). Expenditure of the funds in the LATF within the FDOT must be for the purposes specified in article X, section 28 of the Florida Constitution.

II. Present Situation:

In 2014, Florida voters approved a constitutional amendment proposed by Florida's Water and Land Legacy to provide a dedicated funding source for water and land conservation and restoration.¹ The amendment created article X, section 28 of the Florida Constitution and was approved by 75 percent of the electors voting on the issue.

The amendment requires that starting on July 1, 2015, for 20 years, 33 percent of net revenues derived from the existing excise tax on documents, as defined by the statutes in effect on January 1, 2012, must be deposited into the LATF.²

The amendment requires that funds in the LATF be expended only for the following purposes:

- As provided by law, to finance or refinance:

¹ The founding organizations of Florida's Water and Land Legacy are: The Trust for Public Land, Audubon Florida, Florida Wildlife Federation, Sierra Club Florida, Florida Conservation Alliance Institute, Alachua Conservation Trust, 1000 Friends of Florida, Defenders of Wildlife, Conservation Trust for Florida, The Conservation Fund, The Nature Conservancy, Florida Conservation Coalition, and Rails to Trails Conservancy. Florida's Water and Land Legacy, *Non-Profit Endorsements*, <http://floridawaterlandlegacy.org/sections/page/endorers> (last visited Feb. 6, 2015).

² The net revenues are the amount of revenues after the Department of Revenue first deducts a service charge to pay the costs of the collection and enforcement of the excise tax on documents.

- the acquisition and improvement of land, water areas, and related property interests, including conservation easements, and resources for conservation lands including wetlands, forests, and fish and wildlife habitat;
- wildlife management areas;
- lands that protect water resources and drinking water sources, including lands protecting the water quality and quantity of rivers, lakes, streams, springsheds, and lands providing recharge for groundwater and aquifer systems;
- lands in the Everglades Agricultural Area and the Everglades Protection Area, as defined in article II, section 7(b) of the Florida Constitution;
- beaches and shores;
- outdoor recreation lands, including recreational trails, parks, and urban open space;
- rural landscapes;
- working farms and ranches;
- historic or geologic sites;
- together with management, restoration of natural systems, and the enhancement of public access or recreational enjoyment of conservation lands.

The amendment authorizes moneys deposited into the LATF to be used to pay debt service on bonds issued pursuant to article VII, section 11(e) of the Florida Constitution, and prohibits moneys deposited into the LATF from being commingled with the General Revenue Fund of the state.³

Pursuant to s. 201.15(1)(a), F.S., the LATF within the DEP receives revenue from the excise tax on documents to pay debt service on bonds issued pursuant to article VII, section 11(e) of the Florida Constitution for the Florida Forever and Everglades restoration programs. An LATF also exists in the Fish and Wildlife Conservation Commission;⁴ however, that trust fund does not receive funds from the excise tax on documents pursuant to s. 201.15, F.S.

Article III, section 19(f)(1) of the Florida Constitution requires every trust fund to be created by a three-fifths vote of the membership in each house of the Legislature, in a separate bill, for the sole purpose of creating that trust fund. The constitution also provides that all newly created trust funds terminate no more than four years after the initial creation, unless re-created.

III. Effect of Proposed Changes:

The bill creates an LATF within the FDOT. The trust fund will serve as a depository for funds received from the LATF within the DEP. The funds must be used for the purposes set forth in article X section 28 of the Florida Constitution.

The bill requires the FDOT to maintain the integrity of the moneys transferred to it by the DEP. It also requires that funds available in the new trust fund from reversions or reductions, after the approval of relevant work program amendments and identification of project phases in the

³ FLA. CONST. art VII, s. 11(e), provides, “[b]onds pledging all or part of a dedicated state tax revenue may be issued by the state in the manner provided by general law to finance or refinance the acquisition and improvement of land, water areas, and related property interests and resources for the purposes of conservation, outdoor recreation, water resource development, restoration of natural systems, and historic preservation.”

⁴ See s. 379.212, F.S.

Adopted Work Program which are eligible for certification forward or roll forward pursuant to s. 339.135, F.S., be transferred back to the LATF within the DEP within 15 days after reversion or reduction. These funds are available for future appropriation for the purposes set forth in article X, section 28 of the Florida Constitution.

Additionally, the bill requires the state to hold title to lands acquired through expenditures from the newly created LATF within the FDOT pursuant to s. 337.25, F.S.

The FDOT or its designee is responsible for managing such lands for the purposes set forth in article X, section 28 of the Florida Constitution. Other uses of such lands are permitted if the use is not contrary to those purposes.⁵

Interest from the investment of funds in the LATF within the FDOT will be deposited into the General Revenue Fund.

The trust fund will terminate four years after creation, on July 1, 2019, pursuant to article III, section 19(f)(2), of the Florida Constitution, unless re-created by the Legislature.

The bill takes effect July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

Pursuant to article III, section 19(f)(1) of the Florida Constitution, a bill that creates a new trust fund must pass by a three-fifths vote of the membership of each house of the Legislature in a separate bill, for that purpose only.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

⁵ *Id.*

C. Government Sector Impact:

Creation of the LATF within the FDOT will allow the department to separately account for funds received from the LATF within the DEP, ensure that expenditures from the new trust fund are for the purposes specified in article X, section 28, of the Florida Constitution, and ensure that moneys in the new trust fund are not commingled with other funds.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 20.232 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Dean

5-00822-15

2015582__

A bill to be entitled
An act relating to trust funds; creating s. 20.232,
F.S.; creating the Land Acquisition Trust Fund within
the Department of Transportation; providing for the
purpose of the trust fund and sources of funds;
requiring the department to maintain the integrity of
such funds; providing for disposition of funds from
reversions or reductions in budget authority from the
trust fund; requiring that title to lands or related
property interests acquired be vested by the state;
requiring the department or its designee to manage
lands or related property interests acquired in
accordance with the purposes set forth in s. 28, Art.
X of the State Constitution; providing a restriction
on how funds may be invested; providing for future
review and termination or re-creation of the trust
fund; providing an effective date.

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

Section 1. Section 20.232, Florida Statutes, is created to
read:

20.232 Land Acquisition Trust Fund.—

(1) The Land Acquisition Trust Fund is created within the
Department of Transportation. The trust fund is established for
use as a depository for funds received from the Land Acquisition
Trust Fund within the Department of Environmental Protection and
for expenditure of such funds for the purposes set forth in s.
28, Art. X of the State Constitution.

5-00822-15

2015582__

30 (2) The Department of Transportation must maintain the
31 integrity of such moneys transferred from the Department of
32 Environmental Protection. Subsequent to any applicable work
33 program amendment, certified forward or rolled forward pursuant
34 to s. 339.135, any transferred moneys available from reversions
35 or reductions in budget authority from the Land Acquisition
36 Trust Fund within the Department of Transportation shall be
37 transferred back to the Land Acquisition Trust Fund within the
38 Department of Environmental Protection within 15 days after such
39 reversion or reduction and shall be available for future
40 appropriation for the purposes set forth in s. 28, Art. X of the
41 State Constitution.

42 (3) If expenditures from the trust fund are used in the
43 acquisition of land or related property interests, title shall
44 be vested in the state as required under s. 337.25. The
45 Department of Transportation or its designee shall manage such
46 lands or related property interests in accordance with the
47 purposes set forth in s. 28, Art. X of the State Constitution.
48 Other uses, not contrary to such purposes, may be authorized.

49 (4) Moneys in the trust fund may not be invested as
50 provided in s. 17.61, but shall be retained in the trust fund
51 for investment with interest appropriated to the General Revenue
52 Fund as provided in s. 17.57.

53 (5) In accordance with s. 19(f)(2), Art. III of the State
54 Constitution, the Land Acquisition Trust Fund within the
55 Department of Transportation shall, unless terminated sooner, be
56 terminated on July 1, 2019. Before its scheduled termination,
57 the trust fund shall be reviewed as provided in s. 215.3206.

58 Section 2. This act shall take effect July 1, 2015.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Environmental Preservation and Conservation

BILL: SB 584

INTRODUCER: Senator Dean

SUBJECT: Implementation of the Water and Land Conservation Constitutional Amendment

DATE: February 17, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Gudeman	Uchino	EP	Favorable
2.			AGG	
3.			AP	

I. Summary:

SB 584 provides an integral part of the legislative framework to implement article x, section 28 of the Florida Constitution. The bill restructures the trust funds to implement the constitutional requirement that documentary stamp taxes directed for environmental purposes must not be commingled with the General Revenue Fund. The bill also ensures that these revenues are not commingled with other revenue sources and can be tracked from distribution to expenditure. The bill terminates certain trust funds currently receiving documentary stamp tax revenue intended for expenditure on environmental programs and redirects those moneys and moneys from other sources deposited into those trust funds to other appropriate trust funds as follows:

- The Florida Communities Trust (FCT) Fund is terminated and funds currently deposited in that trust fund are redirected to the Land Acquisition Trust Fund (LATF) and the Internal Improvement Trust Funds.
- The Ecosystem Management and Restoration Trust Fund is terminated and funds currently deposited in that trust fund are redirected to the LATF, the Coastal Protection Trust Fund, the Water Quality Assurance Trust Fund, and the Florida Permit Fee Trust Funds.
- The Water Management Lands Trust Fund is terminated and funds currently deposited in that trust fund are redirected to the LATF and the Water Quality Assurance Trust Funds.
- The Conservation and Recreation Lands Program Trust Fund in the Department of Agriculture and Consumer Services (DACS) is terminated and transferred the LATF and the Incidental Trust Funds.
- The Conservation and Recreation Lands (CARL) Trust Fund in the DEP is terminated and funds currently deposited in that trust fund are redirected to the LATF and the State Parks Trust Funds.
- The Conservation and Recreation Lands Program Trust Fund in the Florida Fish and Wildlife Conservation Commission (FWC) is terminated and funds currently deposited in that trust fund are redirected to the LATF and the State Park Trust Funds.
- The obsolete Preservation 2000 (P2000) Trust Fund is terminated.

The bill also transfers any existing unobligated cash balances from the terminated trust funds as follows:

- From the FCT Fund to the Florida Forever Trust Fund.
- From the Ecosystems Management Trust Fund to the Water Quality Assurance Trust Fund.
- From the Water Management Lands Trust Fund to the Water Quality Assurance Trust Fund.
- From the CARL Trust Fund within DEP to the Water Quality Assurance Trust Fund.
- From the Conservation and Recreation Lands Program Trust Fund within DACS to the General Revenue Fund.
- From the terminated Conservation and Recreation Lands Program Trust Fund within the FWC to the General Revenue Fund.
- From the P2000 Trust Fund to the Florida Forever Trust Fund.

II. Present Situation:

The Water and Land Conservation Constitutional Amendment

In 2014, Florida voters approved a constitutional amendment proposed by Florida's Water and Land Legacy to provide a dedicated funding source for water and land conservation and restoration.¹ The amendment created article X, section 28 of the Florida Constitution and was approved by 75 percent of the electors voting on the issue.

The amendment requires that starting on July 1, 2015, for 20 years, 33 percent of net revenues derived from the existing excise tax on documents, as defined by the statutes in effect on January 1, 2012, must be deposited into the LATF.²

The amendment requires that funds in the LATF be expended only for the following purposes:

- As provided by law, to finance or refinance:
 - the acquisition and improvement of land, water areas, and related property interests, including conservation easements, and resources for conservation lands including wetlands, forests, and fish and wildlife habitat;
 - wildlife management areas;
 - lands that protect water resources and drinking water sources, including lands protecting the water quality and quantity of rivers, lakes, streams, springsheds, and lands providing recharge for groundwater and aquifer systems;
 - lands in the Everglades Agricultural Area and the Everglades Protection Area, as defined in article II, section 7(b) of the Florida Constitution;
 - beaches and shores;
 - outdoor recreation lands, including recreational trails, parks, and urban open space;
 - rural landscapes;

¹ The founding organizations of Florida's Water and Land Legacy are: The Trust for Public Land, Audubon Florida, Florida Wildlife Federation, Sierra Club Florida, Florida Conservation Alliance Institute, Alachua Conservation Trust, 1000 Friends of Florida, Defenders of Wildlife, Conservation Trust for Florida, The Conservation Fund, The Nature Conservancy, Florida Conservation Coalition, and Rails to Trails Conservancy. Florida's Water and Land Legacy, *Non-Profit Endorsements*, <http://floridawaterlandlegacy.org/sections/page/endorsers> (last visited Feb. 6, 2015).

² The net revenues are the amount of revenues after the Department of Revenue first deducts a service charge to pay the costs of the collection and enforcement of the excise tax on documents.

- working farms and ranches;
- historic or geologic sites;
- together with management, restoration of natural systems, and the enhancement of public access or recreational enjoyment of conservation lands.

The amendment authorizes moneys deposited into the LATF to be used to pay debt service on bonds issued pursuant to article VII, section 11(e) of the Florida Constitution, and prohibits moneys deposited into the LATF from being commingled with the General Revenue Fund of the state.³

Pursuant to s. 201.15(1)(a), F.S., the LATF within the DEP receives revenue from the excise tax on documents to pay debt service on bonds issued pursuant to article VII, section 11(e) of the Florida Constitution for the Florida Forever and Everglades restoration programs. An LATF also exists in the FWC;⁴ however, that trust fund currently does not receive funds from the excise tax on documents pursuant to s. 201.15, F.S.

History of Land Acquisition in Florida

Internal Improvement Trust Fund

The State of Florida has a long history of land acquisition and land management. In 1845, the federal government granted Florida 500,000 acres for internal improvement as part of the Great Pre-emption Act of 1841. States that were admitted to the Union after 1841 were granted 500,000 acres which could be sold to fund improvements to roads, canals, and navigable waterways. In 1850, the federal government granted Florida an additional 21 million acres of land under the Swamp and Overflowed Lands Act.⁵

In order to properly administer the vast amount of land granted to the state and to manage the funds from the sale of the land, the Legislature created the Internal Improvement Trust Fund in 1854.⁶ Title to these lands is vested in the Boards of Trustees of the Internal Improvement Fund (BOT), which consists of the Governor and Cabinet.⁷

The sources of revenue to the Internal Improvement Trust Fund include marina and dock leases, commercial upland leases, proceeds from the sale of surplus lands, fees from land transactions, public record requests, fines, interest earnings on investment cash under to s. 17.61, F.S., and the sale of state lands located in the Everglades Agricultural Area. All revenues that are deposited

³ FLA. CONST. art VII, s. 11(e), provides, “[b]onds pledging all or part of a dedicated state tax revenue may be issued by the state in the manner provided by general law to finance or refinance the acquisition and improvement of land, water areas, and related property interests and resources for the purposes of conservation, outdoor recreation, water resource development, restoration of natural systems, and historic preservation.”

⁴ See s. 379.212, F.S.

⁵ Monica K. Reimer, *The Public Trust Doctrine: Historic Protection for Florida’s Navigable Rivers and Lakes*, FLA. B.J., APR. 2001. See also DEP, *State Lands History*, available at http://www.dep.state.fl.us/lands/files/lands_history.pdf (last visited Feb. 15, 2015).

⁶ Chapter 610, s. 1, Laws of Fla. (1854).

⁷ Section 253.02, F.S.

into the Internal Improvement Trust Fund are to be used for the acquisition, management, administration, protection, and conservation of state owned land.⁸

The Internal Improvement Trust Fund provides funds to multiple programs in the DEP, including the Division of State lands, the district offices, the Division of Environmental Assessment and Restoration, the Division of Recreation and Parks, and executive direction and support services.⁹

The Outdoor Recreation and Conservation Lands Act and the Land Acquisition Trust Fund

In 1963, the Legislature created the Outdoor Recreation and Conservation Act to purchase land for parks and recreation.¹⁰ The program was the first official conservation land acquisition program in the state. Prior to the act, land acquisitions were accomplished through line-item appropriations, or donations by private individuals or the federal government. The act authorized the former land management division of the BOT to purchase land and water areas for outdoor recreation, wildlife management, forestry management, nature preservation, and water conservation and control.¹¹

The LATF was established in 1963 to fund the purposes of the Outdoor Recreation and Conservation Lands Act.¹² The original source of revenue to the LATF was a five percent tax on outdoor clothing and equipment.¹³ In 1967, the tax on clothing and equipment proved to be insufficient to sustain the program and the Legislature repealed the tax replacing it with the documentary stamp tax at a rate of 55 cents per \$500.¹⁴

Funds deposited into the LATF must first be used to pay rentals on lease-purchase agreements or to meet the debt service requirements pursuant to s. 375.051, F.S., provided the debt service on the Save Our Coast bonds is not to be paid from funds transferred to the LATF pursuant to s. 259.032(2)(b), F.S. Funds that are not allocated for rentals or debt service may be used to acquire land, water areas, and to construct, improve, enlarge, extend, operate, and maintain capital improvements and facilities.¹⁵

In the event the DEP condemns a specific parcel of land and the land has been approved for acquisition through the LATF, the land may be acquired pursuant to chs. 73 and 74, F.S. The

⁸ Section 253.01, F.S.

⁹ Internal Improvement Trust Fund Description, provided by the Senate Appropriations Subcommittee on General Government (on file with the Senate Committee on Environmental Preservation and Conservation).

¹⁰ Section 375.011, F.S.

¹¹ Section 375.021, F.S. See also s. 1, ch. 63-36, Laws of Fla., and Farr, J.A., and O. Greg Brock, *Florida's Landmark Programs for Conservation and Recreation Land Acquisition*, Sustain, 14 (2006), available at http://www.dep.state.fl.us/lands/files/Florida_LandAcquisition.pdf (last visited Feb. 15, 2015).

¹² Section 375.041, F.S.

¹³ Chapter 63-527, Laws of Fla. See also Comm. on Finance, Taxation, and Claims, The Florida Senate, *Documentary Stamp Tax: Its History and Uses*, 2-3 (Interim Report) (Sept. 1993) (on file with the Senate Comm. on Environmental Preservation and Conservation).

¹⁴ Section 201.021, F.S., (1967). See also Farr, J.A., and O. Greg Brock, *Florida's Landmark Programs for Conservation and Recreation Land Acquisition*, Sustain, 14 (2006) available at http://www.dep.state.fl.us/lands/files/Florida_LandAcquisition.pdf (last visited Feb. 15, 2015).

¹⁵ *Supra* note 12.

funds may also be used to pay the condemnation award and the costs associated with the condemnation.¹⁶

For the Fiscal Year 2014-2015, funds in the LATF may be used to support the Total Maximum Daily Load program, or may be transferred to the Save Our Everglades or Florida Forever Trust Funds.

Section 375.044, F.S., requires the DEP to submit a 10-year comprehensive LATF budget request. The budget request is submitted to the Executive Office of the Governor and the Legislature. The request must include but is not limited to:

- A 10-year annual cash flow analysis of the LATF;
- The agency request for the schedule of issuance of Save Our Coasts bonds;
- Forecasts of the anticipated revenues to the LATF; and
- The estimate of encumbrances and commitments for each year and the estimated expenditures.

Section 372.074, F.S., was created in 1990 to establish the Fish and Wildlife Habitat Trust Fund in the former Game and Fresh Water Fish Commission. The statute was renumbered to s. 379.212, F.S., in 2008 and amended to create an LATF in the FWC.¹⁷

Section 379.212, F.S., specifies that lands acquired through expenditures from the LATF in the FWC are titled to the BOT. The FWC is responsible for managing such lands for the purpose of maintaining and enhancing fish and wildlife habitat. Other uses of such lands are permitted if the use is not contrary to those purposes. The acquisition of such land is done through a voluntary negotiated process using the acquisition procedures in s. 253.025, F.S. The acquisition costs include the purchase price, as well as costs and fees associated with the title, surveys, and appraisals required to complete the acquisition.

Funds may be deposited into the LATF in the FWC from donations, grants, development-of-regional impact wildlife mitigation contributions, and legislative appropriations. The statute prohibits funds from P2000 acquisitions and CARL management funds from being deposited in the LATF in the FWC.¹⁸

The Land Conservation Act of 1972

The Land Conservation Act was passed in 1972 and provided the BOT with funding and bonding authority, through a ballot referendum, to finance state capital projects for environmentally endangered lands.¹⁹ State capital projects for environmentally endangered land, as defined in s. 259.03(1), F.S. (1972), include areas of ecologically significant land that are sensitive to development, land and water areas requiring remedial action to correct or limit environmental damage, and eroded beaches.

¹⁶ *Id.*

¹⁷ Chapter 2008-247, s. 21, Laws of Fla.

¹⁸ Section 379.212, F.S.

¹⁹ Section 259.02, F.S., (1972).

The environmentally endangered lands projects were intended to protect environmentally unique lands rather than to create outdoor recreation areas. The project proposals were submitted by individuals, local governments, and state agencies. The proposals were ranked and evaluated by multiple state environmental divisions and through a public hearing process. The final purchases were approved by the Governor and Cabinet.²⁰

Conservation and Recreation Lands Trust Fund

In 1979, the CARL Trust Fund was created and expanded the environmentally endangered lands program.²¹ The trust fund replaced bond revenues with a nonlapsing revolving fund and was administered by the former Department of Natural Resources, pursuant to s. 253.023, F.S. (1979). The CARL Trust Fund was used to acquire environmentally endangered lands, marsh lands, and estuaries in order to protect and enhance water quality, state parks and recreation areas, to restore altered ecosystems, and to preserve significant archaeological or historical sites. The source of funds for the CARL Trust Fund came from 50 percent of the total moneys collected from the excise tax on the severance of oil, gas, solid minerals, and phosphate rock.²²

A land acquisition selection committee was also created in 1979 in s. 259.035, F.S.²³ The selection committee was responsible for establishing a priority list of land acquisitions from the projects proposed under CARL or the Land Conservation Act. The projects were ranked based on their stated public purpose, the preservation of environmentally endangered lands, the development of outdoor recreation lands, conformity with the comprehensive plans developed under s. 259.04(1)(a), F.S., and the state lands management plan adopted pursuant to s. 253.03(7), F.S.

In 1994, the CARL Trust Fund was transferred from s. 253.023, F.S., to s. 259.032, F.S. The requirements for the individual management plan for projects identified in the CARL report pursuant to s. 259.035(2), F.S., were also amended.²⁴ The individual management plans must include the stated use of the lands, the management activities necessary to preserve and protect natural and cultural resources, a management schedule, a cost estimate of management activities, and a determination of public uses and access. The statute also requires that parcels over 160 acres must have a land management plan developed with input from an advisory group and a public hearing must be held prior to the adoption of the management plan.²⁵

The current sources of revenue to the CARL Trust Fund are 3.52 percent of documentary stamp taxes pursuant to s. 201.15(5), F.S., 25.5 percent of the severance tax on phosphate rock pursuant to s. 211.3103(6)(a)1., F.S., proceeds from the sale of surplus lands pursuant to s. 253.034(5)(k), F.S., and interest earnings on the investment of idle cash pursuant to s. 17.61, F.S.

Section 259.032(11)(b), F.S., specifies that not less than 1.5 percent of the cumulative total funds deposited into the P2000 Trust Fund and the Florida Forever Trust Fund may be made available

²⁰ Farr, J.A., and O. Greg Brock, *Florida's Landmark Programs for Conservation and Recreation Land Acquisition, Sustain*, 14 (2006), available at http://www.dep.state.fl.us/lands/files/Florida_LandAcquisition.pdf (last visited Feb. 15, 2015).

²¹ Section 259.032, F.S.

²² Chapter 79-255, s. 8, Laws of Fla.

²³ Chapter 79-255, s. 14, Laws of Fla.

²⁴ Chapter 94-240, s. 1, Laws of Fla.

²⁵ Section 259.032(10), F.S.

to the CARL Trust Fund. The funds may be used for the management, maintenance, and capital improvements for lands acquired pursuant to s. 259.032, F.S., (the CARL Trust Fund); s. 259.101, F.S., (the P2000 Act); s. 259.105, F.S., (the Florida Forever Act); and s. 259.1052, F.S., (the Babcock Crescent B Ranch Florida Forever acquisition).

Section 259.032(11)(d), F.S., specifies that up to one-fifth of the CARL funds specified in 259.032(11)(b), F.S., must be reserved for land management activities including:

- Resource assessment;
- Control of invasive and non-native flora and fauna;
- Habitat restoration;
- Fencing;
- Law enforcement;
- Controlled burning; and
- Public access.

In 2014, s. 259.032, F.S., was amended to allow, for the Fiscal Year 2014-2015, transfers from the CARL Trust Fund to the Florida Forever Trust Fund for the Florida Forever Program and to the Save Our Everglades Trust Fund to support the restoration projects outlined in the final Indian River Lagoon and Lake Okeechobee Basin report.²⁶

The CARL Trust Fund is used by the DEP's Division of State Lands and Division of Recreation and Parks, the FWC, and DACS to provide public ownership of natural areas in order to maintain Florida's natural resources, to promote water resource development, to promote restoration activities on public lands, and to provide lands for natural resource based recreation.²⁷

Water Management Lands Trust Fund

The Water Management Lands Trust Fund, also referred to as the Save Our Rivers Program, was established in 1981 within the DEP as a nonlapsing fund. The Water Management Lands Trust Fund allows the five water management districts (WMDs) to purchase land for water management, water supply, water resource conservation and protection, and for appropriate public utilization.²⁸ The funds are distributed to the WMDs based on the relative population of the districts: 30 percent to the South Florida WMD, 25 percent to the Southwest Florida WMD, 25 percent to the St. Johns River WMD, 10 percent to the Suwanee River WMD, and 10 percent to the Northwest Florida WMD.

Section 373.59, F.S., requires each WMD to file a five-year plan with the Legislature and the DEP. The plans are updated annually to include a report of acquisition history along with any modifications or additions to the five-year plan. The annual report includes:

²⁶ The Select Comm. on Indian River Lagoon and Lake Okeechobee Basin, The Florida Senate, *Report by the Select Committee on Indian River Lagoon and Lake Okeechobee Basin* (Nov. 8, 2013), available at <http://www.flsenate.gov/usercontent/topics/irllob/finalreport.pdf> (last visited Feb. 16, 2015).

²⁷ Section 259.032(3), F.S.

²⁸ Section 373.59, F.S. See also SFWMD, *2013 SFWMD Land Assessment, Study Process*, 6, available at http://www.sfwmd.gov/portal/page/portal/xrepository/sfwmd_repository_pdf/land_assessment_study_process.pdf (last visited Feb. 15, 2015).

- Identification of lands that require a full fee simple interest to achieve water management goals;
- Lands that can be acquired using alternatives to fee simple acquisition techniques;
- A description of land management activities;
- Identification of lands needed to recharge groundwater supply; and
- Any plans for land acquisition for the protection of the potable water supply

Prior to 1985, the primary source of funding to the Water Management Lands Trust Fund came from direct legislative appropriations for specific projects. In 1985, the percentage of revenues from documentary stamp taxes to the Water Management Lands Trust Fund increased and became the main source of funding for the trust fund.²⁹

In 1999, the legislature passed the Florida Forever Act, which replaced the acquisition programs in the Water Management Lands Trust Fund and served as a successor program to the popular P2000 program. The distribution of documentary stamp taxes deposited into the Water Management Lands Trust Fund pursuant to s. 201.15, F.S., may no longer be used for land acquisition but are available for preacquisition costs.

Beginning Fiscal Year 2007-2008, the major source of revenue for the Water Management Lands Trust Fund is 4.2 percent of the documentary stamp taxes, capped at \$60.5 million, with \$8 million being transferred to the General Revenue Fund after debt service is paid. The Water Management Lands Trust Fund also receives interest earnings on the investment of idle cash pursuant to s. 17.61, F.S., and transfers of penalty assessments collected by the WMDs pursuant to s. 373.129, F.S.

For Fiscal Year 2014-2015, funds in the Water Management Lands Trust Fund are distributed as follows:

- The amount necessary to pay debt service on bonds issued before February 1, 2009, by the South Florida WMD and the St. Johns River WMD;
- \$8 million is transferred to the General Revenue Fund;
- \$7.7 million is transferred to Save Our Everglades Trust Fund to support the projects included in the Indian River Lagoon Lake Okeechobee Basin report; and
- Any remaining funds are distributed as provided in the General Appropriations Act.³⁰

Water Quality Assurance Trust Fund

The Water Quality Assurance Trust Fund was created in 1983 to function as a broad-based fund for use in responding to contamination (excluding petroleum products) that poses a threat to groundwater and surface water, public health, safety, and welfare. Funds may be used to:

- Assess, cleanup, restore, monitor, and maintain spills, discharges, or escapes of pollutants or hazardous substances which occur during storage, transportation, and disposal of such products;
- Assess, cleanup, restore, monitor, and maintain drycleaning sites;
- Replace or restore potable water supplies;

²⁹ Chapter 85-347, s. 7, Laws of Fla.

³⁰ Section 373.59(12)(a), F.S.

- Respond to the Comprehensive Environmental Response, Compensation, and Liability Act; and
- Restore or replace contaminated private potable water wells or water systems under specific conditions.³¹

Section s. 376.307(4), F.S., authorizes revenue sources for the Water Quality Assurance Trust Fund from:

- The annual transfer of interest from the Florida Coastal Protection Trust Fund;
- All excise taxes levied on producing or importing pollutants pursuant to s. 206.9935, F.S.;
- All penalties, judgments, recoveries, reimbursements, loans, and other fees and charges related to the contamination of surface water and groundwater;
- The fee on the retail sale of lead-acid batteries; and
- All penalties, judgments, recoveries, reimbursements, loans, and other fees and charges related to the contamination of drycleaning facilities.

The Water Quality Assurance Trust Fund is used by the DEP's Division of Waste Management, the Division of Environmental Assessment and Restoration, the Division of Water Resource Management, and executive direction and support services.³²

The Preservation 2000 Act and the Preservation 2000 Trust Fund

The P2000 Act was created in 1990 in response to Governor Bob Martinez's Commission on the Future of Florida's Environment.³³ The commission examined the threats to Florida's environmental health and provided potential solutions. The commission projected a loss of three million acres of wetland and forest by 2020 due to increased development and decreased conservation land acquisition. The commission estimated that the state had a conservation need of more than \$5 billion and recommended that the state sell long-term bonds to fund land purchases.³⁴

The P2000 Trust Fund was created in 1990 and is held and administered by the DEP.³⁵ The trust fund provides a dedicated funding source for purchasing any land located in an Area of Critical State Concern, environmentally endangered lands, or outdoor recreation lands. The primary source of revenues to the P2000 Trust Fund was the sale of \$3 billion in revenue bonds over 10 years.³⁶ The trust fund also received revenue from the sale of surplus lands pursuant to s. 259.101, F.S., and the interest earnings on the investment of idle cash pursuant to s. 17.61, F.S.

In order to receive P2000 funds, land acquisition projects are required to meet one of the following criteria:

³¹ Section 376.307, F.S.,

³² Water Quality Assurance Trust Fund Description provided by the Senate Appropriations Subcommittee on General Government (on file with the Senate Committee on Environmental Preservation and Conservation).

³³ Section 259.101, F.S.

³⁴ A Report to Governor Martinez by the Commission on The Future of Florida's Environment, Apr. 1990 (on file with the Senate Committee on Environmental Preservation and Conservation).

³⁵ Section 375.045, F.S.

³⁶ Sections 375.045, 375.051, and 201.15, F.S.

- The land is in imminent danger of development, loss of significant natural attributes, or in danger of subdivision;
- There is compelling evidence that the land will be developed within 12 months or recent appraisals indicate an increase in land value;
- The land protects groundwater or other natural resources or provides space for natural resource based recreation;
- The land can be purchased at 80 percent of the appraised value or less;
- The land provides habitat for endangered, threatened, or rare species; or
- The land provides protection to important natural communities.³⁷

P2000 funds were distributed as follows:

- 50 percent to the DEP the CARL Trust Fund;
- 30 percent to the DEP Water Management Lands Trust Fund;
- 10 percent to the Florida Communities Trust (FCT);
- 2.9 percent to the DEP Division of Recreation and Parks;
- 2.9 percent to DACS Florida Forest Service;
- 2.9 percent to the FWC; and
- 1.3 percent to the DEP for the Greenways and Trails Program.³⁸

From 1990 to 1999, the P2000 program preserved more the 1.75 million acres of conservation land. The P2000 Trust Fund is inactive and the available fund balance of \$37.7 million was transferred to the Florida Forever Trust Fund in Fiscal Year 2004-2005.³⁹ The bonds to support the program were fully repaid in Fiscal Year 2012-2013.

Green Swamp Land Authority

The Green Swamp is located between Tampa and Orlando and is Florida's second largest wetland ecosystem (behind the Everglades) covering 870 square miles.⁴⁰ The Green Swamp is a primary recharge area for the Floridan Aquifer and also forms the headwaters of the Withlacoochee, Hillsborough, Oklawaha, and Peace River Watersheds. The swamp provides habitat for approximately 330 species of wildlife including 30 threatened or endangered species.⁴¹

In 1961, the Legislature directed the Southwest Florida WMD to be the local sponsor of the Four River Basins Florida Project, which was a major flood control project sponsored by the U.S. Army Corps of Engineers (Corps).⁴² The Corps project was to consist of a series of detention

³⁷ Section 259.101(4), F.S.

³⁸ Section 259.101(3), F.S.

³⁹ Office of Program Policy Analysis and Government Accountability, Florida Legislature, *Review of Preservation 2000*, Report No. 96-78, (Apr. 1997), available at <http://www.oppaga.state.fl.us/MonitorDocs/Reports/pdf/9678rpt.pdf> (last visited Feb. 15, 2015).

⁴⁰ Marian Ryan, *The Green Swamp, Florida's Liquid Heart*, myregion.org, available at http://www.myregion.org/clientuploads/pdfs/ncfl_green-swamp.pdf (last visited Feb 15, 2015).

⁴¹ The DEP, *Wetland Delineation, Green Swamp Wilderness Preserve*, available at <http://www.dep.state.fl.us/water/wetlands/delineation/docs/grnswamp.pdf> (last visited Feb. 15, 2015).

⁴² *Supra* note 40.

areas and dams. The Southwest Florida WMD decided a non-structural approach to flood control was preferred and the purchased land became the foundation for conservation of the swamp.

In 1974, the Legislature designated approximately 295,000 acres of the Green Swamp as an Area of Critical State Concern.⁴³ In 1992, the Green Swamp was added to the P2000 project list.⁴⁴

The Green Swamp Land Authority was created in 1994 and directs the DEP, the St. Johns River WMD, and the Southwest Florida WMD to identify, select, and acquire less-than-fee simple interests or rights of property within the Green Swamp Area of Critical State Concern.⁴⁵ The law allows property owners within the Green Swamp Area of Critical State Concern to apply to the land authority for a land protection agreement regardless of whether or not the property is on the CARL list pursuant to s. 259.035, F.S., a land acquisition plan pursuant to s. 373.59, F.S., or an FCT plan pursuant to s. 380.508, F.S. The land protection agreement compensates the property owner for accepting restrictions on the use of the land, including the right to develop the land.⁴⁶

Specific criteria developed by the land authority is used to evaluate potential property that may qualify for a land protection agreement. The criteria is based on water resource, environmental resource, ecological factors, threat of potential development, historical significance of the property, and other factors determined to be significant by the land authority.⁴⁷

The land protection agreements convey the ownership of any rights and interests in the property to the Southwest Florida WMD or the St. Johns River WMD, depending on where the acquisition project is located. The WMDs are responsible for monitoring compliance with the land protection agreement and for providing the county tax collector with a copy of the land protection agreement. The property owner may use the land in any manner that is consistent with the terms of the agreement. Land protection agreements that limit the owner to agriculture must allow a property owner to change from one agricultural activity to another, unless otherwise prohibited by the agreement. Agreements may not prohibit the construction or operation of barns or other buildings necessary for agricultural activities.⁴⁸

A fee simple owner of lands that are subject to a land protection agreement may petition the WMD governing board to terminate the agreement. The governing board may dispose of the land according to s. 373.089, F.S., if it determines that the property is no longer needed to protect the Green Swamp Area of Critical State Concern. The law also specifies that the constitutionally protected property rights of the private property owners within the Green Swamp Area of Critical State Concern are preserved regardless of participation in the Green Swamp Authorities acquisition program.⁴⁹

⁴³ *Supra* note 40. Section 380.05(2)(a), F.S., specifies that areas of critical state concern are areas that have a significant environmental importance regionally or statewide.

⁴⁴ *Supra* note 39.

⁴⁵ Section 380.0677, F.S.

⁴⁶ *Id.*

⁴⁷ Section 380.0677(4), F.S.

⁴⁸ Section 380.0677(7) and (8), F.S.

⁴⁹ Sections 380.0677(9) and (10), F.S.

In 1999, s. 380.0677(2), F.S., was repealed and the powers and duties of the Green Swamp Land Authority were transferred by a type two transfer to the DEP.⁵⁰

The Florida Forever Act and the Florida Forever Trust Fund

The Florida Forever Act was created in 1999 as the successor program to the P2000 Act. The Florida Forever Act reinforces the state's commitment to conservation and expands the state's role in protecting its natural resources. The stated goals of the Florida Forever Act are to acquire lands and water areas to preserve natural resources and protect water supply, provide opportunities for agricultural activities on working lands, provide outdoor recreational opportunities, preserve the Everglades, prioritize the land acquisition process based on science-based assessments of the natural resources, and enhance imperiled species management.⁵¹

The Florida Forever Trust Fund was created in 1999 to carry out the purpose of the Florida Forever Act and is administered by the DEP.⁵² The initial source of revenue to the trust fund was up to \$3 billion in bond sales, which was increased to \$5.3 billion in 2008.⁵³ The trust fund also receives proceeds from the sale of surplus land pursuant to s. 259.101, F.S., and the interest earnings on the investment of idle cash pursuant to s. 17.61, F.S., and inter-agency transfers from other trust funds.

Section 259.105(3), F.S., specifies the following distributions of funds:

- 30 percent to the WMDs to implement the five-year plan developed pursuant to s. 373.199, F.S.;
 - The WMDs are required to spend at least 50 percent of the funds received on land acquisition;
 - The distribution to the WMDs is as follows;
 - 35 percent to the South Florida WMD;
 - 25 percent to the South Florida WMD;
 - 25 percent to the St. Johns River WMD;
 - 7.5 percent to the Suwannee River WMD;
 - 7.5 percent to the Northwest Florida WMD.
- 35 percent to the DEP for capital projects and expenditures in the Florida Forever Act;
 - A minimum of three percent and no more than 10 percent of the funds must be used for capital projects that adhere to the land management planning activities required for public access and are identified at the time of acquisition.
- 21 percent to the FCT;
- 2 percent to the DEP for grants pursuant to s. 375.075, F.S.;
- 1.5 percent to the DEP for state parks;
- 1.5 percent to DACS' Florida Forest Service;
- 1.5 percent to the FWC;
- 1.5 percent to the DEP Greenways and Trails Program;
- 3.5 percent to DACS for agricultural lands; and

⁵⁰ Chapter 99-247, s. 51, Laws of Fla.

⁵¹ Section 259.105, F.S.

⁵² Section 259.1051, F.S.

⁵³ Chapter 2008-229, s. 13, Laws of Fla.

- 2.5 percent to the DEP to implement the Stan Mayfield Working Waterfronts program.

The land acquisitions proposed under the Florida Forever Act are developed by the Acquisition and Restoration Council (ARC), the successor to the selection committee created in 1979. ARC adopted rules to evaluate, select, and rank projects eligible for funds according to specific criteria including:⁵⁴

- Consistency with the goals of the Florida Forever program;
- Restoration or protection of developed areas or water resources that are part of an ongoing government project;
- Management of facilities under public ownership;
- Significant archeological or historic value;
- Identification of funding sources through at least the first two years;
- The potential to resolve regional water resource issues;
- The imminent threat of development on the property;
- The implementation of a plan developed by an ecosystem management team;
- Everglades restoration;
- The project may be purchased at 80 percent of the appraised value;
- Acquisition of the land using alternatives to fee simple; and
- Joint acquisition with other public agencies, nonprofit organizations, private entities, and public-private partnership.

Pursuant to s. 259.105(7), F.S., Florida Forever funds may only be used for water resource and water supply projects if:

- The minimum flows and levels are established for the water body and the water body has experienced or could experience significant harm without the project;
- The project complies with the permit requirements; and
- The project is consistent with the regional water supply plan.

ARC prioritizes projects that meet the conservation criteria, have matching funds available, and can be purchased for less than 80 percent of appraised value. Priority is also given to projects that have a conservation plan that corresponds with the military's need to protect land, water, and habitat.⁵⁵

Other Trust Funds for Land Acquisition and Land Management

State Park Trust Fund

The State Park Trust Fund was created in 1949. The trust fund is used for the administration, improvement, and maintenance of state parks and historic memorials, and for the acquisition and development of lands purchased for state parks. The trust fund receives revenues from park fees and charges, rentals, the sale of concessions, sales tax, donations, and transfers from the LATF.⁵⁶

⁵⁴ Rule 18-24.0021, F.A.C.

⁵⁵ Section 259.105(11), F.S.

⁵⁶ Sections 258.034 and 258.014, F.S.

The State Park Trust Fund funds the DEP Division of Recreation and Parks. The Division of Recreation and Parks manages 161 state parks and 10 state trails and is responsible for the administration of real property within its jurisdiction, administering the Florida Greenway and Trail program, coordinating the natural and cultural resource activities of the state parks, and monitoring park operations statewide.⁵⁷

The Incidental Trust Fund

The Incidental Trust Fund was created in 1949 and is administered by DACS. The trust fund is used to fund a portion of the programs in the Florida Forest Service within DACS, which includes wildfire suppression and forest land management. The major source of revenues for this fund are the receipts from sale of forest and nursery products and fire control assessments.⁵⁸

Florida Coastal Protection Trust Fund

The Florida Coastal Protection Trust Fund was established in 1970 to provide the DEP and the FWC with the financial resources necessary to prevent pollutant discharge or to remediate and restore natural resources after a pollutant discharge. The Florida Coastal Protection Trust Fund is dispersed only for the following purposes:

- Administrative and personnel expenses of the DEP and the FWC related to the enforcement of pollutant discharge prevention and removal;
- The costs associated with the prevention and abatement of pollution discharges;
- The provable costs and damages that are the proximate results of the pollutant discharge;
- Funding a grant program for local governments to remove derelict vessels from the public waters of the state;
- Up to \$1 million of the fund may be used for emergency cleanup response teams located at ports throughout the state; and
- The temporary transfer of funds not greater than \$10 million to the Minerals Trust Fund in s. 376.40, F.S.⁵⁹

The sources of revenues to the trust fund are penalties, judgments, and damages recovered from responsible parties for injury or destruction of natural resources and wildlife. The funds are credited pursuant to ss. 206.9935 and 206.9945, F.S. The fund also receives revenue from interest earnings and investment on idle cash pursuant to s. 17.61, F.S.

The Florida Permit Fee Trust Fund

The Florida Permit Fee Trust fund was created in 1982 and is administered by the DEP. The trust fund provides funding for the operating costs of permitting, field services, and support services. The statute requires legislative approval to use the trust fund for salary increases.⁶⁰

⁵⁷ The DEP, *Div. of Recreation and Parks*, <http://www.dep.state.fl.us/parks/> (last visited Feb. 15, 2015).

⁵⁸ Section 589.011, F.S.

⁵⁹ Section 376.11, F.S.

⁶⁰ Section 403.0871, F.S.

The sources of revenue to the trust fund are the funds received for coastal construction permits under ss. 161.041, 161.053, 161.0535, F.S., domestic wastewater treatment facility permits pursuant to s. 403.087, F.S., and public water systems under s. 403.861, F.S.⁶¹

Florida Recreation Development Assistance Program

The Florida Recreation Development Assistance Program (FRDAP) was established in 1986 and is administered by the DEP.⁶² FRDAP is a reimbursement grant program and provides funds to qualifying local governments for acquisition or development of land for public outdoor recreation. FRDAP is funded at the discretion of the legislature. In Fiscal Year 2014-2015 the program received approximately \$2.5 million from general revenue and in Fiscal Year 2013-2014 the program received \$642,000 from the LATF.⁶³

Qualifying projects are ranked for selection based on the extent to which the project implements the outdoor recreation goals and facilities need outlined in the Statewide Comprehensive Outdoor Recreation Plan.⁶⁴ Local governments may submit two grant applications at a time but are limited to three active projects expending state funds during a Fiscal Year. The grants are limited to \$200,000 per project application.⁶⁵

Florida Communities Trust Fund

The FCT was created in 1989 as a nonlapsing revolving fund to be used by local governments and nonprofit organizations for the acquisition of community based projects, urban open spaces, parks, and greenways.⁶⁶ The fund is held and administered by the Florida Communities Trust, which acts as non-regulatory agency within the DEP. The governing body of the FCT is the Secretary of Environmental Protection, and four members appointed by the Governor: a former elected official of county government, a former elected official of a municipal government, a representative of a nonprofit organization, and a representative of the development industry.⁶⁷

The FCT is responsible for assisting local governments in implementing local comprehensive plans and bringing plans into compliance. The FCT is also tasked with responding to development patterns that degrade natural areas, enhancing resource values, restoring urban waterfronts, preserving working waterfronts, reserving land for purchase at a later date, promoting innovative land acquisition methods, and providing public access to water fronts.⁶⁸

The FCT receives approximately 21 percent of Florida Forever funds each year. Emphasis is placed on funding projects in low income or otherwise disadvantaged communities. A dollar for

⁶¹ *Id.*

⁶² Section 375.075, F.S.

⁶³ FRDAP Program Description, provided by the Senate Appropriations Subcommittee on General Government, (on file with the Senate Committee on Environmental Preservation and Conservation).

⁶⁴ The Statewide Comprehensive Outdoor Recreation Plan is the state's official plan for outdoor recreation pursuant to s. 375.021, F.S.

⁶⁵ Section 375.075, F.S.

⁶⁶ Chapter 89-175, s. 28, Laws of Fla.

⁶⁷ Section 380.504, F.S.

⁶⁸ Section 380.502, F.S.

dollar local match is required for 75 percent of these funds. The local government match can consist of federal grants or funds, private donations, or environmental mitigation funds.⁶⁹

Ecosystem Management Trust Fund

The Ecosystem Management Trust Fund was established in 1996 to fund the planning and implementation of restoration programs, beach restoration and nourishment, surface water improvement and management plans, pollution control activities, coral reef restoration.⁷⁰ In 2008, the Legislature made these funds available for local governments and state agencies to implement the Leah Scad Memorial Ocean Outfall Program pursuant to s. 403.1651, F.S.⁷¹

The trust fund receives revenue from payments resulting from enforcement actions against any person in violation of ch. 373, F.S., or any person responsible for injury to a coral reef. The trust fund also receives revenue from the transfer of documentary stamp taxes pursuant to s. 201.15, F.S., and interest earnings on the investment of idle cash pursuant to s. 17.61, F.S.⁷²

The Ecosystem Management Trust Fund is utilized by the DEP's Division of Water Resource Management, Division of Environmental Assessment and Restoration, Water Policy and Ecosystem Restoration, Division of Recreation and Parks, the district offices, and for executive direction and support services.

Save Our Everglades Trust Fund

The Central and Southern Florida Flood Control (C&SF) Project was authorized by Congress in 1948 to provide flood control, supply water for municipal, industrial and agricultural uses, prevent salt water intrusion, and preserve fish and wildlife in the Everglades.⁷³ The project included 1,000 miles of levees, 720 miles of canals and almost 200 water control structures. A portion of the area drained was designated the EAA, which spans 700,000 acres and is approximately 27 percent of the historic Everglades.⁷⁴

In 1992 the Congress authorized a Restudy of the C&SF project to develop modifications to the flood control project that included Everglades restoration and water supply projects. The Restudy included three phases:

- A reconnaissance phase to identify problems and opportunities;
- A feasibility phase to develop a comprehensive plan to modify the C&SF project; and
- An implementation phase, which required congressional authorization under the Water Resources Development Act.

In 1999, the Legislature passed CS/SB 167. The bill directed the South Florida WMD to serve as the local sponsor on the Restudy, provided eminent domain authority for several projects in

⁶⁹ Section 259.105(3)(c), F.S.

⁷⁰ Section 403.1651, F.S.

⁷¹ Chapter 2008-232, s. 7, Laws of Fla.

⁷² *Id.*

⁷³ Clay J. Landry, *Who Drained the Everglades? The Same Folks Who Are Now Restoring Them* (Mar. 2002), available at <http://perc.org/sites/default/files/mar02.pdf> (last visited Feb. 15, 2015).

⁷⁴ Duke University Wetland Center, *Everglades Agricultural Area*, available at <http://www.nicholas.duke.edu/wetland/ea.htm> (last visited Feb. 16, 2015).

South Florida, required the DEP to review and approve the project components of the Restudy, and required the DEP to submit project funding requests to the Legislature. The measure also required the DEP and the South Florida WMD to expeditiously pursue the implementation of project modifications and to collaborate in the Restudy.

An interim project report, *Everglades Restudy Funding*, was also published in 1999. The report, reviewed the amount and timing of funding necessary to implement the projects outlined in the Restudy and to determine if the South Florida WMD would be capable to meeting the financial requirements as the local sponsor of the Restudy.⁷⁵

The report found uncertainty in the amount and timing of funding necessary to implement the projects in the Restudy. As the local sponsor, the South Florida WMD was responsible for a portion of the state's cost share. The funding report concluded that the South Florida WMD may experience fiscal constraints as a result of the cost share agreement and suggested using additional state funding resources to augment local sponsor obligations.⁷⁶

The Save Our Everglades Trust fund was created in 2000 to implement the projects outlined in the Comprehensive Plan contained in the "Final Integrated Feasibility Report and Programmatic Environmental Impact Statement, April 1999".⁷⁷ The source of revenue to the trust fund is state, local, and federal contributions. The fund is exempt from the general revenue service charges required by s. 215.20(1), F.S., and all income, including interest or other earnings, must be credited to the trust fund. Any balance that remains in the trust fund is to stay in the trust fund at the end of the Fiscal Year in order to carry out the purpose of the fund.⁷⁸

Water Protection and Sustainability Trust Fund

The Water Protection and Sustainability Trust Fund was established in 2005 within the DEP to support the Water Sustainability and Protection Program created in s. 403.890, F.S. The revenues deposited or appropriated are distributed in the following manner:

- 65 percent to the DEP for alternative water supply projects;
- 22.5 percent for the implementation of the total maximum daily load program established in s. 403.067, F.S.; and
- 12.5 percent for the DEP Disadvantaged Small Community Wastewater Grant Program provided for in s. 403.1838, F.S.

The end of the Fiscal Year balance is to remain in the trust fund and must be available to carry out the Water Protection and Sustainability Act.⁷⁹

⁷⁵ Comm. On Env. Protection, Florida House, and Comm. on Everglades Oversight, Joint Legislative Comm., *Everglades Restudy Funding*, (Interim Report) (Nov. 1999), available at http://www.leg.state.fl.us/data/Publications/2000/House/reports/interim_reports/pdf/evrglade.pdf (last visited Feb. 15, 2015).

⁷⁶ *Id.*

⁷⁷ U.S. Army Corps of Engineers, *C&SF Project Comprehensive Review, Final Integrated Feasibility Report and Programmatic Environmental Impact Statement* (Apr. 1999), available at http://www.evergladesplan.org/docs/comp_plan_apr99/summary.pdf (last visited Feb. 15, 2015).

⁷⁸ Section 373.472, F.S.

⁷⁹ Section 403.891, F.S.

The trust fund initially received \$100 million in documentary stamp tax revenues; however, the distribution was reduced in 2007 to \$80 million, and the associated distributions tied to the funds were amended to allow for the redirection of documentary stamp tax revenue to the General Revenue Fund.⁸⁰ In 2009, the Legislature eliminated documentary stamp tax distributions to the fund.⁸¹

Grants and Donations Trust Fund

The Grants and Donations Trust Fund in the FWC was created in 2005 and is used for grant and donor agreement activities funded by contractual revenue. The source of revenue to the fund is grants and donations from private and public nonfederal sources, interest earnings, and cash advances from other trust funds.⁸²

Plant Industry Trust Fund

The Plant Industry Trust Fund was created in 2014 and is administered by DACS. The trust fund is used to fund a portion of the programs in DACS' Division of Plant Industry, which includes plant and apiary inspections, certifications, surveys, and treatments to control and eradicate insects and diseases threatening the industry.⁸³

The sources of revenue for the fund are the fees and penalties received by DACS for plant and apiary regulatory services including certifications, registrations, and inspections pursuant to s. 586.16, F.S., the fines paid for violating the plant industry provisions pursuant to s. 581.212, F.S., and fines, penalties, and assessments collected pursuant to s. 593.117, F.S.

III. Effect of Proposed Changes:

Land Acquisition Trust Fund

Section 4 amends s. 17.61, F.S., to specify that the funds in the LATF must be invested separately with the interest deposited into the General Revenue Fund. The balances of funds in the LATF are exempt from annual assessments by the Chief Financial Officer provided in s. 17.57, F.S.

Section 7 amends s. 161.091, F.S., to authorize beach management funding, subject to appropriation, from the LATF.

Section 13 amends s. 253.03, F.S., to remove the ability to use the LATF exclusively to pay encumbrances on real property forfeited to the state in the event the Internal Improvement Trust Fund receipts are inadequate to satisfy the encumbrances. If the Internal Improvement Trust Fund does not have adequate funds, the BOT may use another appropriate trust fund to satisfy the encumbrances for state land administration.

⁸⁰ Chapter 2007-335, s. 2, Laws of Fla.

⁸¹ Chapter 2009-68, s. 1, Laws of Fla.

⁸² Section 379.206, F.S.

⁸³ Section 570.321, F.S.

Section 14 amends s. 253.034, F.S., to direct the proceeds from the sale of conservation lands purchased before July 1, 2015, to be deposited into the Florida Forever Trust Fund instead of the fund from which the land was acquired. Proceeds from the sale of conservation lands purchased on or after July 1, 2015, are to be deposited into the LATF unless the bond covenants require the proceeds be deposited into the trust fund from which the lands were purchased.

A maximum of \$6.2 million from the LATF may be expended on conservation management contractual arrangements with private parties instead of the five percent of funds allocated in current law. The \$6.2 million is based on projected documentary stamp tax revenue deposits for Fiscal Year 2015-2016 according to the August 2014 Revenue Estimating Conference.

Section 42 amends s. 375.041, F.S., to designate the LATF within the DEP as the recipient of documentary stamp tax revenues pursuant to article X, section 28 of the Florida Constitution. The constitution requires no less than 33 percent of documentary stamp tax net revenues be deposited into the LATF within the DEP. The revenue deposited into the LATF must be utilized in the following order:

- Obligations relating to debt service, specifically:
 - Payments relating to Florida Forever bonds;
 - Payments relating to Everglades restoration bonds; and
 - Payments relating to revenue bonds issued by WMDs.
- Obligations relating to the debt service on bonds issued before February 1, 2009, by the South Florida and St. Johns River WMDs secured by revenues in the Water Management Lands Trust Fund, which is terminated in this bill;
- Distribution of \$32 million to the South Florida WMD for the Long-Term Plan as defined in s. 373.4592, F.S., relating to Everglades improvement and management; and
- Other expenditures for the purposes set forth in article X, section 28 of the Florida Constitution.

The bill specifies that moneys accruing to other agencies for expenditures relating to article X, section 28 of the Florida Constitution must be transferred back to the LATF in the DEP utilizing nonoperating budget authority. All transferred moneys available from reversions or reductions in other agencies must be transferred back to the LATF in the DEP within 15 days after such reversion or reduction.

Section 45 amends s. 375.075, F.S., related to FRDAP, by eliminating the five percent minimum deposit of revenue requirement tied to the LATF for developing and planning the program. The bill now ties the development and planning to funding appropriated by the Legislature.

Section 52 amends s. 379.212, F.S., related to the LATF within the FWC, to conform with the LATFs created in other agencies and limits revenues deposited into the fund to only those transferred from the DEP's LATF. The funds deposited into the trust fund must be utilized for the purposes set forth in article X, section 28 of the Florida Constitution, and the FWC must maintain the integrity of such funds.

Section 53 amends s. 379.362, F.S., to require DACS to use funds appropriated from the LATF within DACS to fund the oyster management and restoration programs in Apalachicola Bay and other oyster harvest areas in the state.

Section 66 amends s. 403.9325, F.S., to revise the definition of “Public lands set aside for conservation or preservation” within the Mangrove Trimming and Preservation Act to include lands and interests acquired with money from the LATF.

Chapter 259, Florida Statutes, Land Acquisitions for Conservation or Recreation

Section 17 amends s. 259.032, F.S., to rename the section as “Conservation and recreation lands.” The bill removes obsolete language relating to all references of the terminated CARL Trust Fund. References include deposits into the fund in addition to allowable expenditures made from the fund. This includes an appropriation of \$250,000 to the Plant Industry Trust Fund within DACS. The bill also eliminates obsolete language related to P2000 and Florida Forever bonds.

The bill eliminates obsolete language relating to conservation and recreation lands, as it refers to the list describing acquisition projects under ARC.

The bill authorizes state agencies to contract with local governments and soil and water conservation districts to manage lands acquired for conservation and recreation lands with funds from the LATF in accordance with to article X, section 28 of the Florida Constitution.

The bill amends the requirements in s. 259.032(11)(b), F.S., to specify the conservation and recreation lands acquired pursuant to this section must be acquired with funds in accordance with article X, section 28 of the Florida Constitution or former s. 259.032, F.S. Additionally the bill deletes the amount transferred to the Plant Industry Trust Fund.

Section 18 amends s. 259.035, F.S., to add conforming language to preserve sections of 2014 Florida Statutes repealed by this bill in addition to correcting cross references to the P2000 Act. The bill also deletes obsolete language relating to the CARL Trust Fund. It also requires ARC to develop rules defining specific criteria and numeric performance measures needed for lands that are to be acquired for a public purpose with funds deposited into the LATF pursuant to article X, section 28 of the Florida Constitution.

Sections 21 and 22 correct cross references in ss. 259.04 and 259.041, F.S., respectively, to remove obsolete language related to the P2000 bonds.

Section 23 amends s. 259.101, F.S., to modify the P2000 Act by eliminating obsolete provisions relating to P2000 bond proceeds and the P2000 Trust Fund. The bill adds conforming language to preserve sections of 2014 Florida Statutes repealed by this bill. This section also provides that a state agency or WMD that acquired lands using P2000 funds must manage the lands to make them available for public recreational use if the recreational use does not interfere with the protection of the land. The bill authorizes agencies to transfer management authority to another appropriate agency and requires control of invasive species.

Section 24 amends s. 259.105, F.S., to correct cross references related to the Florida Forever Act and removes obsolete language applying to only the 2014-2015 fiscal year. The section also

makes conforming changes setting a maximum amount of \$6.2 million from the LATF that may be expended on conservation management contractual arrangements with private parties.

Deposits of Revenues

Section 6 amends s. 161.054, F.S., to redirect the fines or awards of damages relating to beach and shore preservation in the Ecosystem Management Trust Fund to the Florida Coastal Protection Trust Fund.

Section 8 amends s. 211.3103, F.S., to redirect the deposits of the state's tax on severance of phosphate rock from the CARL Trust Fund to the State Parks Trust Fund. It also continues to apply the general revenue surcharge to such taxes until January 1, 2023.

Section 15 amends s. 253.7824, F.S., to require the proceeds from the removal and sale of products from conservation lands purchased before July 1, 2015, be deposited into the Florida Forever Trust Fund instead of the fund from which the land was acquired. Proceeds from the removal and sale of products from conservation lands purchased on or after July 1, 2015, are to be deposited into the LATF unless the bond covenants require the proceeds be deposited into the trust fund from which the lands were purchased. For non-conservation lands or lands acquired by gift, donation, or no consideration, proceeds from the removal and sale of products shall be deposited into the Internal Improvement Trust Fund.

Section 16 amends s. 258.435, F.S., to redirect the deposits of gifts and donations received to promote the public use of aquatic preserves and their associated uplands from the LATF to the State Park Trust Fund for administration, development, improvement, promotion, and maintenance of aquatic preserves and their associated uplands.

Section 29 amends s. 373.129, F.S., to redirect the deposits of civil penalties recovered by a WMD or the DEP from the Water Management Lands and Ecosystem Management and Restoration Trust Funds to the Water Quality Assurance Trust Fund.

Sections 32 amends s. 373.430, F.S., to redirect the deposits of penalties and damages relating to management and storage of surface waters recovered by the state and WMDs from the Ecosystem Management and Restoration Trust Fund and Water Management Lands Trust Fund to the Florida Permit Fee Trust Fund.

Section 41 amends s. 375.031, F.S., to direct the proceeds from the sale or disposition of conservation lands acquired by the Outdoor Recreation and Conservation Act of 1963 purchased before July 1, 2015, to the Florida Forever Trust Fund instead of the fund from which the land was acquired. Proceeds from the sale or disposition of conservation lands purchased on or after July 1, 2015, are to be deposited into the LATF unless the bond covenants require the proceeds be deposited into the trust fund from which the lands were purchased. For non-conservation lands or lands acquired by gift, donation, or no consideration, proceeds from the removal and sale of products shall be deposited into the Internal Improvement Trust Fund.

Section 46 amends s. 376.11, F.S., to redirect the deposits into the Florida Coastal Protection Trust Fund, including:

- Fines and awards of damages relating to coastal construction and reconstruction; and
- Funds from sources otherwise specified by law.

The bill also amends the uses of the Florida Coastal Protection Trust Fund to include:

- Funding relating to the prevention of, and clean up and rehabilitation after, a pollutant discharge, and damages;
- Funding of detailed planning and implementation of management and restoration of ecosystems programs; and
- Funding activities restoring polluted areas defined by the DEP to conditions prior to pollution or enhancing pollution control.

Section 48 amends s. 376.307, F.S., to redirect the deposits into the Water Quality Assurance Trust Fund previously deposited into other trust funds:

- Civil penalties recovered by a WMD, local board, or local government delegated by the DEP in actions relating to water resources;
- Funds appropriated by the Legislature for the Surface Water Improvement and Management Act, storm water programs, and the Geneva Freshwater Lens Protection Act;
- Funds collected pursuant to ch. 403 F.S., relating to environmental control and designated for deposit into the Water Quality Assurance Trust Fund;
- Funds recovered by the state from actions, initiated by the DEP, against a person for violation of chs. 373 or 403, F.S., relating to water resources and environmental control;
- Funds available for the Leah Schad Memorial Ocean Outfall Program;
- Funds received by the state for injury or destruction of coral reefs; and
- Funds from other sources otherwise specified by law.

The bill also amends the uses of the Water Quality Assurance Trust Fund to include:

- Funding detailed planning and implementation of management and restoration of ecosystems programs;
- Funding development and implementation of surface water improvement and management plans and programs;
- Funding activities restoring polluted areas, as defined by the DEP, to conditions before the pollution occurred or enhancing pollution control;
- Funding activities by the DEP to recover moneys from actions against persons for violation of ch. 373 F.S., relating to water resources;
- Funding activities for the Leah Schad Memorial Ocean Outfall Program; and
- Funding activities to restore or rehabilitate injured or destroyed coral reefs.

The bill specifies that a settlement entered into by the DEP may not limit the Legislature's authority to appropriate money from the trust fund. The DEP may enter into a settlement in which it agrees to request moneys received due to a settlement in its legislative budget request. The bill also specifies the DEP may enter into a settlement involving joint enforcement with the Hillsborough County pollution control program provided that the moneys are deposited into the local program's pollution recovery fund.

Section 51 amends s. 379.206, F.S., to require the deposits into the FWC Grants and Donations Trust Fund to include development-of-regional impact wildlife mitigation contributions.

Section 57 amends s. 380.508, F.S., to direct the deposits of all moneys from the operation, management, lease, or other disposition of land, water areas, related resource, and facilities acquired or constructed under ch. 380 F.S., to the Internal Improvement Trust Fund. The bill also requires funds above eligible project costs after completion of a project under chapter 380 of the Florida Statutes, be deposited into the Florida Forever Trust Fund.

In addition, the proceeds from the sale of reserved lands purchased before July 1, 2015, must be deposited into the Florida Forever Trust Fund instead of the fund from which the land was acquired. Proceeds from the sale of reserved lands purchased on or after July 1, 2015, are to be deposited into the LATF unless the bond covenants require the proceeds be deposited into the trust fund from which the lands were purchased. For non-conservation lands or lands acquired by gift, donation, or no consideration, proceeds from the sale of such lands must be deposited into the Internal Improvement Trust Fund.

Section 58 amends s. 380.510, F.S., to require deposits from the FCT be placed into the Internal Improvement Trust Fund. The bill also requires each deed or lease relating to real property acquired with funds received by the trust from the Florida Forever Trust Fund after July 1, 2015, to contain covenants and restrictions that the use of the property complies with article X, section 28, of the Florida Constitution.

Section 61 amends s. 403.08601, F.S., to redirect the funds relating to the Leah Schad Memorial Ocean Outfall Program from the terminated Ecosystem Management and Restoration Trust Fund to the Water Quality Assurance Trust Fund.

Section 70 amends s. 570.71, F.S., to replace the fund for deposits and expenditures from the CARL Program Trust Fund, other than from the LATF, within DACS to the Incidental Trust Fund relating to acquiring conservation easements and entering into agricultural protection agreements.

Trust Fund Terminations

Sections 1, 44, 59, and 63 terminate the following trust funds within the DEP:

- Preservation 2000 Trust Fund;
- Florida Communities Trust Fund;
- Ecosystem Management and Restoration Trust Fund;
- Water Management Lands Trust Fund; and
- Conservation and Recreation Lands Trust Fund.

All funds and encumbrances certified forward for operations and fixed capital outlay projects are permitted to stay in the terminated funds until the encumbrances are satisfied. The remaining balances of the FCT and the P2000 Trust Funds are transferred to the Florida Forever Trust Fund. The remaining balances of the Ecosystem Management and Restoration, Water Management Lands, and CARL Trust Funds are transferred to the Water Quality Assurance Trust Fund.

Sections 2, 3, 50, and 68 terminate the CARL Program Trust Fund within DACS and the FWC after all outstanding debts or obligations are satisfied.

Technical Cross Reference Corrections

Section 5 repeals s. 161.05301, F.S., which appropriated six positions and \$449,918 for the 1998-1999 fiscal year to the Ecosystem Management and Restoration Trust Fund to assist in the administration of the Beach and Shore Preservation program.

Sections 9, 10-12, 19, 20, 25, 26, 27, 30, 33, 35-37, 39, 40, 47, 49, 54, 56, 60, 62, 64, 65, 69, and 71 make technical changes removing obsolete trust fund references relating to the trust funds terminated in this bill in addition to technical statutory cross-reference corrections relating to changes occurring in the bill.

Sections 28, 31, 34, and 56 add conforming language to preserve sections of 2014 Florida Statutes repealed by this bill.

Section 38 amends s. 373.59, F.S., to retitle the section “Payment in lieu of taxes for lands acquired for water management district purposes” and repeals obsolete language relating to the Water Management Lands Trust Fund, which is terminated in this bill.

Section 43 amends s. 375.044, F.S., to remove obsolete language relating to Save Our Coast bonds.

Section 55 repeals obsolete language relating to the Green Swamp Land Authority in s. 380.0677, F.S.

Section 67 amends s. 403.93345, F.S., to change the funding of the Florida Coral Reef Protection Act from the terminated Ecosystem Management and Restoration Trust Fund to the Water Quality Assurance Trust Fund.

Sections 72-74 reenacts sections of the Florida Statutes for the purpose of incorporating amendments made pursuant to this bill.

Section 75 provides an effective date of July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill terminates trust funds listed below and transfers the estimated fund balances to the following funds:⁸⁴

Funds Terminated/Agency	Estimated Fund Balance as of June 30, 2015	Recipient Fund of Estimated Balances
Conservation and Recreation Lands Trust Fund/DEP	\$11,261,857	Water Quality Assurance Trust Fund
Ecosystems Management and Restoration Trust Fund/DEP	\$5,931,159	Water Quality Assurance Trust Fund
Florida Communities Trust Fund/DEP	\$429,031	Florida Forever Trust Fund
Florida P2000 Trust Fund/DEP	\$244,500	Florida Forever Trust Fund
Water Management Lands Trust Fund/DEP	\$15,035,373	Water Quality Assurance Trust Fund
Conservation and Recreation Lands Program Trust Fund/DACS	\$3,360,592	General Revenue Fund
Conservation and Recreation Lands Program Trust Fund/FWC	\$65,540	General Revenue Fund

The bill transfers the following revenue sources from trust funds being terminated to the funds listed below:

Revenues	Terminated Fund	Recipient Fund of Revenues
Beach Administrative Fines	Ecosystem Management and Restoration	Coastal Protection Trust Fund

⁸⁴ Information contained in this portion of the bill analysis is from the analysis for SB 584 by the Senate Appropriations Subcommittee on General Government (Feb. 2015) (on file with the Senate Committee on Environmental Preservation and Conservation).

Severance of Phosphate Rock	Conservation and Recreation Lands Trust Fund	State Park Trust Fund
Civil Penalties (WMDs and the DEP)	Water Management Lands Trust Fund and Ecosystems Management and Restoration Trust Fund	Water Quality Assurance Trust Fund
Water Resources Penalties and Damages	Ecosystem Management and Restoration and Water Management Lands Trust Funds	Florida Permit Fee Trust Fund
Surface Water Improvement and Management	Ecosystem Management and Restoration Trust Fund	Water Quality Assurance Trust Fund
Damages Recovered for Coral Reefs	Ecosystem Management and Restoration Trust Fund	Water Quality Assurance Trust Fund
Leah Shad Memorial Funds	Ecosystem Management and Restoration Trust Fund	Water Quality Assurance Trust Fund
Settlement Funds for Pollution Control	Ecosystem Management and Restoration Trust Fund	Water Quality Assurance Trust Fund
Land and Water Management Disposition of Lands	Florida Communities Trust Fund	Appropriate trust fund
Land and Water Management Nonprofits and Local Governments	Florida Communities Trust Fund	Internal Improvement Trust Fund
Environmental Control Enforcement Penalties	Ecosystem Management and Restoration Trust Fund	Water Quality Assurance Trust Fund

The bill transfers the following revenue sources from the LATF within the DEP to the funds listed below:

Revenues	Current Trust Fund	Recipient Fund of Revenues
Proceeds from the Sale of Products	Land Acquisition Trust Fund	Appropriate trust fund determined by the DEP
Aquatic Preserves - Gifts and Donations	Land Acquisition Trust Fund	State Park Trust Fund

The bill states that funds in the LATF may not be invested as provided in s. 17.61, F.S., but shall be retained in those trust funds with the interest appropriated to the General Revenue Fund. This will have an indeterminate impact on the General Revenue Fund.

The bill eliminates the \$250,000 annual transfer from the DEP CARL Trust Fund to the DACS Plant Industry Trust Fund for the Endangered or Threatened Native Flora Conservation Grants program. Since the CARL Trust Fund within the DEP is terminated, future funding for this program may be provided from other sources as determined by the Legislature.

The bill replaces the funding for contractual agreements with private parties for the acquisition of conservation lands under the Florida Forever program from five percent of documentary stamp

tax deposited into the CARL and Water Management Lands Trust Funds (both trust funds are terminated) to \$6.2 million from the LATF. This amount is based on projected documentary stamp tax deposits for Fiscal Year 2015-2016 according to the August 2014 Revenue Estimating Conference.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 17.61, 161.054, 161.091, 211.3103, 215.20, 215.618, 215.619, 253.027, 253.03, 253.034, 253.7824, 258.435, 259.032, 259.035, 259.036, 259.037, 259.04, 259.041, 259.101, 259.105, 259.1051, 338.250, 373.089, 373.129, 373.1391, 373.199, 373.430, 373.459, 373.4592, 373.45926, 373.470, 373.584, 373.59, 373.5905, 373.703, 375.031, 375.041, 375.044, 375.075, 376.11, 376.123, 376.307, 376.40, 379.206, 379.212, 379.362, 380.0666, 380.507, 380.508, 380.510, 403.0615, 403.08601, 403.121, 403.885, 403.9325, 403.93345, 570.321, 570.71, 895.09, 260.015, 258.015, 287.0595.

This bill repeals the following sections of the Florida Statutes: 161.05301, 373.026(8)(c), 375.045, 379.202, 380.0677, 380.511, 403.1651, 403.8911, 570.207.

This bill reenacts the following sections of the Florida Statutes: 260.015(1)(c), 258.015(3)(b), 287.0595(2).

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Dean

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A bill to be entitled
An act relating to the implementation of the water and
land conservation constitutional amendment;
terminating certain trust funds within the Department
of Environmental Protection, the Department of
Agriculture and Consumer Services, and the Fish and
Wildlife Conservation Commission; providing for the
disposition of balances in, revenues of, and all
outstanding appropriations of the trust funds;
requiring the departments and the commission,
respectively, to pay outstanding debts or obligations
of the trust funds; requiring that the Chief Financial
Officer close out and remove the terminated funds from
the state accounting system; amending s. 17.61, F.S.;
requiring moneys in land acquisition trust funds
created or designated to receive funds under s. 28,
Art. X of the State Constitution to be retained in
those trust funds; repealing s. 161.05301, F.S.,
relating to beach erosion control project staffing;
amending s. 161.054, F.S.; redirecting certain
proceeds from the Ecosystem Management and Restoration
Trust Fund to the Florida Coastal Protection Trust
Fund; amending s. 161.091, F.S.; authorizing
disbursements from the Land Acquisition Trust Fund for
the beach management plan; amending s. 211.3103, F.S.;
authorizing a percentage of proceeds from the
phosphate rock excise tax to be credited to the State
Park Trust Fund; amending s. 215.20, F.S.; conforming
provisions to changes made by the act; amending s.

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215.618, F.S.; authorizing Florida Forever bonds to be issued to finance or refinance the acquisition and improvement of land, water areas, and related property interests; amending ss. 215.619, 253.027, and 253.03, F.S.; conforming provisions to changes made by the act; amending s. 253.034, F.S.; requiring proceeds from the sale of surplus conservation lands before a certain date to be deposited into the Florida Forever Trust Fund and after such date under certain circumstances into the Land Acquisition Trust Fund; prohibiting more than a certain amount of funds to be expended from the Land Acquisition Trust Fund for funding a certain contractual arrangement; amending s. 253.7824, F.S.; conforming provisions to changes made by the act; amending s. 258.435, F.S.; requiring moneys received in trust by the Department of Environmental Protection relating to aquatic preserves to be deposited into the State Park Trust Fund; amending s. 259.032, F.S.; conforming provisions affected by the termination of the Conservation and Recreation Lands Trust Fund; authorizing state agencies designated to manage lands acquired with funds deposited into the Land Acquisition Trust Fund to contract with local governments and soil and water conservation districts to assist in management activities; amending s. 259.035, F.S.; requiring the Acquisition and Restoration Council to develop rules defining specific criteria and numeric performance measures needed for lands acquired with funds

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deposited into the Land Acquisition Trust Fund pursuant to s. 28(a), Art. X of the State Constitution; requiring the proposed rules to be submitted to the Legislature for consideration; requiring recipients of funds from the Land Acquisition Trust Fund to annually report to the Division of State Lands; requiring the council to consider and evaluate in writing each project proposed for acquisition using such funds and ensure that each proposed project meets the requirements of s. 28, Art. X of the State Constitution; amending ss. 259.036, 259.037, 259.04, and 259.041, F.S.; conforming cross-references; amending s. 259.101, F.S.; conforming provisions affected by the termination of the Preservation 2000 Trust Fund; requiring agencies and water management districts that acquired lands using Preservation 2000 funds to make them available for public recreational use; requiring water management districts and the department to control the growth of nonnative invasive plant species on certain lands; amending s. 259.105, F.S.; deleting obsolete provisions; conforming cross-references; prohibiting more than a certain amount of funds to be expended from the Land Acquisition Trust Fund for funding a certain contractual arrangement; amending s. 259.1051, F.S.; conforming cross-references; amending s. 338.250, F.S.; conforming provisions to changes made by the act; repealing s. 373.026(8)(c), F.S., relating to the use of state funds for land purchases for

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88 certain projects; amending s. 373.089, F.S.;

89 conforming provisions to changes made by the act;

90 amending s. 373.129, F.S.; requiring certain civil

91 penalties to be deposited into the Water Quality

92 Assurance Trust Fund; amending ss. 373.1391 and

93 373.199, F.S.; conforming provisions to changes made

94 by the act; amending s. 373.430, F.S.; requiring

95 certain moneys to be deposited into the Florida Permit

96 Fee Trust Fund rather than the Ecosystem Management

97 and Restoration Trust Fund; amending ss. 373.459,

98 373.4592, 373.45926, 373.470, and 373.584, F.S.;

99 conforming provisions to changes made by the act;

100 amending s. 373.59, F.S.; conforming provisions

101 affected by the termination of the Water Management

102 Lands Trust Fund; amending s. 373.5905, F.S.;

103 conforming a cross-reference; amending ss. 373.703 and

104 375.031, F.S.; conforming provisions to changes made

105 by the act; amending s. 375.041, F.S.; designating the

106 Land Acquisition Trust Fund within the Department of

107 Environmental Protection for receipt of certain

108 documentary stamp tax revenues for the prescribed uses

109 of s. 28, Art. X of the State Constitution; providing

110 priority for the use of moneys in the trust fund;

111 requiring agencies receiving transfers of moneys from

112 the fund to maintain the integrity of such funds;

113 amending s. 375.044, F.S.; conforming provisions to

114 changes made by the act; repealing s. 375.045, F.S.,

115 relating to the Florida Preservation 2000 Trust Fund;

116 amending s. 375.075, F.S.; conforming provisions to

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changes made by the act; amending s. 376.11, F.S.;
revising the funds required to be deposited into the
Florida Coastal Protection Trust Fund and the purposes
for which such funds may be used; amending s. 376.123,
F.S.; conforming a cross-reference; amending s.
376.307, F.S.; revising the funds required to be
deposited into the Water Quality Assurance Trust Fund
and the purposes for which such funds may be used;
amending s. 376.40, F.S.; conforming a cross-
reference; repealing s. 379.202, F.S., relating to the
Conservation and Recreation Lands Program Trust Fund
of the Fish and Wildlife Conservation Commission;
amending s. 379.206, F.S.; requiring grants and
donations from development-of-regional-impact wildlife
mitigation contributions to be credited to the Grants
and Donations Trust Fund; amending s. 379.212, F.S.;
providing that the Land Acquisition Trust Fund within
the Fish and Wildlife Conservation Commission shall be
used to implement s. 28, Art. X of the State
Constitution; authorizing the department to transfer
certain funds; requiring the commission to maintain
the integrity of such funds; amending s. 379.362,
F.S.; requiring the Department of Agriculture and
Consumer Services to use funds appropriated from the
Land Acquisition Fund within the Department of
Environmental Protection to fund certain oyster
management and restoration programs; amending s.
380.0666, F.S.; conforming provisions to changes made
by the act; repealing s. 380.0677, F.S., relating to

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the Green Swamp Land Authority; amending s. 380.507, F.S.; conforming provisions to changes made by the act; amending s. 380.508, F.S.; requiring certain funds to be credited to or deposited into the Internal Improvement Trust Fund; requiring funds over and above eligible project costs to be deposited into the Florida Forever Trust Fund rather than the Florida Communities Trust Fund; amending s. 380.510, F.S.; requiring certain funds collected under a grant or loan agreement to be deposited into the Internal Improvement Trust Fund rather than the Florida Communities Trust Fund; requiring the deed or lease of any real property acquired with certain funds to contain covenants and restrictions sufficient to ensure that the use of such real property complies with s. 28, Art. X of the State Constitution; repealing s. 380.511, F.S., relating to the Florida Communities Trust Fund; amending s. 403.0615, F.S.; conforming provisions to changes made by the act; amending ss. 403.08601 and 403.121, F.S.; requiring certain funds to be deposited into the Water Quality Assurance Trust Fund rather than the Ecosystem Management and Restoration Trust Fund; repealing s. 403.1651, F.S., relating to the Ecosystem Management and Restoration Trust Fund; amending s. 403.885, F.S.; conforming provisions to changes made by the act; repealing s. 403.8911, F.S., relating to the annual appropriation from the Water Protection and Sustainability Program Trust Fund; amending s.

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403.9325, F.S.; redefining the term "public lands set aside for conservation or preservation" to include lands and interests acquired with funds deposited into the Land Acquisition Trust Fund; amending s. 403.93345, F.S.; redefining the term "fund" to mean the Water Quality Assurance Trust Fund; requiring certain funds to be deposited into the Water Quality Assurance Trust Fund rather than the Ecosystem Management and Restoration Trust Fund; repealing s. 570.207, F.S., relating to the Conservation and Recreation Lands Program Trust Fund of the Department of Agriculture and Consumer Services; amending s. 570.321, F.S.; conforming provisions to changes made by the act; amending s. 570.71, F.S.; excluding funds from the Land Acquisition Trust Fund from being deposited into the Incidental Trust Fund under certain circumstances; amending s. 895.09, F.S.; conforming provisions to changes made by the act; making technical changes; reenacting s. 260.015(1)(c), F.S., to incorporate the amendment made by this act to s. 259.035, F.S., in a reference thereto; reenacting s. 258.015(3)(b), F.S., to incorporate the amendment made by this act to s. 375.041, F.S., in a reference thereto; reenacting s. 287.0595(2), F.S., to incorporate the amendment made by this act to s. 376.307, F.S., in a reference thereto; providing an effective date.

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

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

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

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

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

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

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

(2) (a) All current balances remaining in, and all revenues of, the Florida Preservation 2000 Trust Fund shall be transferred to the Florida Forever Trust Fund, FLAIR number 37-2-348, within the Department of Environmental Protection.

(b) The Department of Environmental Protection shall pay any outstanding debts and obligations of the Florida Preservation 2000 Trust Fund as soon as practicable and the Chief Financial Officer shall close out and remove that terminated trust fund from the various state accounting systems using generally accepted accounting principles concerning warrants outstanding, assets, and liabilities.

(3) (a) All undisbursed, unobligated balances of appropriations from the Florida Communities Trust Fund which have reverted pursuant to s. 216.301, Florida Statutes, shall be transferred to the Florida Forever Trust Fund, FLAIR number 37-2-348, within the Department of Environmental Protection as soon

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as practicable after September 30, 2015, as to reverted
appropriations for operations and as soon as practicable after
the Governor furnishes the annual report required pursuant to s.
216.301(2), Florida Statutes, as to reverted fixed capital
outlay appropriations. All such reverted and transferred
balances must be available for reappropriation by the
Legislature.

(b) All undisbursed, unobligated balances of appropriations
from the Ecosystem Management and Restoration Trust Fund which
have reverted pursuant to s. 216.301, Florida Statutes, shall be
transferred to the Water Quality Assurance Trust Fund, FLAIR
number 37-2-780, within the Department of Environmental
Protection as soon as practicable after September 30, 2015, as
to reverted appropriations for operations and as soon as
practicable after the Governor furnishes the annual report
required pursuant to s. 216.301(2), Florida Statutes, as to
reverted fixed capital outlay appropriations. All such reverted
and transferred balances must be available for reappropriation
by the Legislature.

(c) All undisbursed, unobligated balances of appropriations
from the Water Management Lands Trust Fund which have reverted
pursuant to s. 216.301, Florida Statutes, shall be transferred
to the Water Quality Assurance Trust Fund, FLAIR number 37-2-
780, within the Department of Environmental Protection as soon
as practicable after September 30, 2015, as to reverted
appropriations for operations and as soon as practicable after
the Governor furnishes the annual report required pursuant to s.
216.301(2), Florida Statutes, as to reverted fixed capital
outlay appropriations. All such reverted and transferred

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balances must be available for reappropriation by the
Legislature.

(d) All undisbursed, unobligated balances of fixed capital outlay appropriations in the Conservation and Recreation Lands Trust Fund which have reverted pursuant to s. 216.301, Florida Statutes, shall be transferred to the Water Quality Assurance Trust Fund, FLAIR number 37-2-780, within the Department of Environmental Protection as soon as practicable after September 30, 2015, as to reverted appropriations for operations and as soon as practicable after the Governor furnishes the annual report required pursuant to s. 216.301(2), Florida Statutes, as to reverted fixed capital outlay appropriations. All such reverted and transferred balances must be available for reappropriation by the Legislature.

(e) The Department of Environmental Protection shall pay any outstanding debts and obligations of each of the trust funds identified in paragraphs (a)-(d) as soon as practicable. After the payment of all such outstanding debts and obligations and the transfer of all reverted undisbursed and unobligated appropriation balances from a trust fund identified in paragraphs (a)-(d), the Chief Financial Officer shall close out and remove each such trust fund from the various state accounting systems using generally accepted accounting principles concerning warrants outstanding, assets, and liabilities.

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

(2) The Department of Agriculture and Consumer Services

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shall pay any outstanding debts or obligations of the terminated trust fund as soon as practicable, and the Chief Financial Officer shall close out and remove that terminated trust fund from the various state accounting systems using generally accepted accounting principles concerning warrants outstanding, assets, and liabilities.

Section 3. (1) The Conservation and Recreation Lands Program Trust Fund, FLAIR number 72-2-931, within the Fish and Wildlife Conservation Commission is terminated.

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

Section 4. Paragraph (e) is added to subsection (3) of section 17.61, Florida Statutes, to read:

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

(3)

(e) Moneys in any land acquisition trust fund created or designated to receive funds under s. 28, Art. X of the State Constitution may not be invested as provided in this section, but shall be retained in those trust funds, with the interest appropriated to the General Revenue Fund, as provided in s. 17.57.

Section 5. Section 161.05301, Florida Statutes, is repealed.

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Section 6. Subsection (3) of section 161.054, Florida Statutes, is amended to read:

161.054 Administrative fines; liability for damage; liens.—

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

Section 7. Subsections (1) and (3) of section 161.091, Florida Statutes, are amended to read:

161.091 Beach management; funding; repair and maintenance strategy.—

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

(3) In accordance with the intent expressed in s. 161.088 and the legislative finding that erosion of the beaches of this state is detrimental to tourism, the state's major industry,

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349 further exposes the state's highly developed coastline to severe
350 storm damage, and threatens beach-related jobs, which, if not
351 stopped, may significantly reduce state sales tax revenues,
352 funds deposited into the State Treasury to the credit of the
353 Land Acquisition Ecosystem Management and Restoration Trust
354 Fund, ~~in the annual amounts provided in s. 201.15,~~ shall be
355 ~~used, for a period of not less than 15 years,~~ to fund the
356 development, implementation, and administration of the state's
357 beach management plan, as provided in ss. 161.091-161.212 and as
358 authorized in s. 28, Art. X of the State Constitution, ~~prior to~~
359 ~~the use of such funds deposited pursuant to s. 201.15 in that~~
360 ~~trust fund for any other purpose.~~

361 Section 8. Paragraphs (a) and (b) of subsection (6) of
362 section 211.3103, Florida Statutes, are amended to read:

363 211.3103 Levy of tax on severance of phosphate rock; rate,
364 basis, and distribution of tax.—

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

370 1. To the credit of the State Park Conservation and
371 ~~Recreation Lands~~ Trust Fund, 25.5 percent.

372 2. To the credit of the General Revenue Fund of the state,
373 35.7 percent.

374 3. For payment to counties in proportion to the number of
375 tons of phosphate rock produced from a phosphate rock matrix
376 located within such political boundary, 12.8 percent. The
377 department shall distribute this portion of the proceeds

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annually based on production information reported by the producers on the annual returns for the taxable year. Any such proceeds received by a county shall be used only for phosphate-related expenses.

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

5. To the credit of the Nonmandatory Land Reclamation Trust Fund, 6.2 percent.

6. To the credit of the Phosphate Research Trust Fund in the Division of Universities of the Department of Education, 6.2 percent.

7. To the credit of the Minerals Trust Fund, 3.6 percent.

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

1. To the credit of the State Park Conservation and Recreation Lands Trust Fund, 22.8 percent.

2. To the credit of the General Revenue Fund of the state,

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31.9 percent.

3. For payment to counties pursuant to subparagraph (a)3.,
11.5 percent.

4. For payment to counties pursuant to subparagraph (a)4.,
8.9 percent.

5. To the credit of the Nonmandatory Land Reclamation Trust
Fund, 16.1 percent.

6. To the credit of the Phosphate Research Trust Fund in
the Division of Universities of the Department of Education, 5.6
percent.

7. To the credit of the Minerals Trust Fund, 3.2 percent.

Section 9. Subsection (2) of section 215.20, Florida
Statutes, is amended to read:

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

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

Section 10. Paragraph (a) of subsection (1) and subsections

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(2) and (6) of section 215.618, Florida Statutes, are amended to read:

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

(1) (a) The issuance of Florida Forever bonds, not to exceed \$5.3 billion, to finance or refinance the cost of acquisition and improvement of land, water areas, and related property interests and resources, in urban and rural settings, for the purposes of restoration, conservation, recreation, water resource development, or historical preservation, and for capital improvements to lands and water areas that accomplish environmental restoration, enhance public access and recreational enjoyment, promote long-term management goals, and facilitate water resource development is hereby authorized, subject to ~~the provisions of s. 259.105 and pursuant to s. 11(e), Art. VII of the State Constitution~~ and, on or after July 1, 2015, to also finance or refinance the acquisition and improvement of land, water areas, and related property interests as provided in s. 28, Art. X of the State Constitution. ~~Florida Forever bonds may also be issued to refund Preservation 2000 bonds issued pursuant to s. 375.051. The \$5.3 billion limitation on the issuance of Florida Forever bonds does not apply to refunding bonds. The duration of each series of Florida Forever bonds issued may not exceed 20 annual maturities. Preservation 2000 bonds and Florida Forever bonds shall be equally and ratably secured by moneys distributable to the Land Acquisition Trust Fund pursuant to s. 201.15(1)(a), except to the extent specifically provided otherwise by the documents authorizing the issuance of the bonds.~~

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465 (2) The state covenants ~~does hereby covenant~~ with the
466 holders of Florida Forever bonds ~~and Preservation 2000 bonds~~
467 that it will not take any action which will materially and
468 adversely affect the rights of such holders so long as such
469 bonds are outstanding, including, but not limited to, a
470 reduction in the portion of documentary stamp taxes
471 distributable to the Land Acquisition Trust Fund for payment of
472 debt service on ~~Preservation 2000 bonds or~~ Florida Forever
473 bonds.

474 (6) Pursuant to authority granted under ~~by~~ s. 11(e), Art.
475 VII of the State Constitution, there is hereby continued and re-
476 created the Land Acquisition Trust Fund which shall ~~be a~~
477 ~~continuation of the Land Acquisition Trust Fund which exists for~~
478 ~~purposes of s. 9(a)(1), Art. XII of the State Constitution. The~~
479 ~~Land Acquisition Trust Fund shall continue beyond the~~
480 ~~termination of bonding authority provided for in s. 9(a)(1),~~
481 ~~Art. XII of the State Constitution, pursuant to the authority~~
482 ~~provided by s. 11(e), Art. VII of the State Constitution and~~
483 shall continue for so long as ~~Preservation 2000 bonds or~~ Florida
484 Forever bonds are outstanding and secured by taxes distributable
485 thereto or until the requirement of s. 28(a), Art. X of the
486 State Constitution expires, whichever is later.

487 Section 11. Subsection (2) of section 215.619, Florida
488 Statutes, is amended to read:

489 215.619 Bonds for Everglades restoration.—

490 (2) The state covenants with the holders of Everglades
491 restoration bonds that it will not take any action that will
492 materially and adversely affect the rights of the holders so
493 long as the bonds are outstanding, including, but not limited

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to, a reduction in the portion of documentary stamp taxes distributable under s. 201.15(1) for payment of debt service on ~~Preservation 2000 bonds,~~ Florida Forever bonds, or Everglades restoration bonds.

Section 12. Subsection (5) of section 253.027, Florida Statutes, is amended to read:

253.027 Emergency archaeological property acquisition.—

(5) ACCOUNT EXPENDITURES.—

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

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

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

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

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

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

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

(b) No moneys shall be spent from the account for excavation or restoration of the properties acquired. Funds may be spent for preliminary surveys to determine if the sites meet

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the criteria of this section. An amount not to exceed \$100,000 may also be spent from the account to inventory and evaluate archaeological and historic resources on properties purchased, or proposed for purchase, pursuant to s. 259.105(3)(b) ~~s. 259.032~~.

Section 13. Subsection (12) of section 253.03, Florida Statutes, is amended to read:

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

(12) The Board of Trustees of the Internal Improvement Trust Fund is hereby authorized to administer, manage, control, conserve, protect, and sell all real property forfeited to the state pursuant to ss. 895.01-895.09 or acquired by the state pursuant to s. 607.0505 or former s. 620.192. The board is directed to immediately determine the value of all such property and shall ascertain whether the property is in any way encumbered. If the board determines that it is in the best interest of the state to do so, funds from the Internal Improvement Trust Fund may be used to satisfy any such encumbrances. If forfeited property receipts are not sufficient to satisfy encumbrances on the property and expenses permitted under this section, funds from another appropriate ~~the Land Acquisition~~ trust fund may be used to satisfy any such encumbrances and expenses. All property acquired by the board pursuant to s. 607.0505, former s. 620.192, or ss. 895.01-895.09 shall be sold as soon as commercially feasible unless the Attorney General recommends and the board determines that retention of the property in public ownership would effectuate one or more of the following policies of statewide significance:

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552 protection or enhancement of floodplains, marshes, estuaries,
553 lakes, rivers, wilderness areas, wildlife areas, wildlife
554 habitat, or other environmentally sensitive natural areas or
555 ecosystems; or preservation of significant archaeological or
556 historical sites identified by the Secretary of State. In such
557 event the property shall remain in the ownership of the board,
558 to be controlled, managed, and disposed of in accordance with
559 this chapter, and the Internal Improvement Trust Fund shall be
560 reimbursed from the Land Acquisition Trust Fund, or other
561 appropriate fund designated by the board, for any funds expended
562 from the Internal Improvement Trust Fund pursuant to this
563 subsection in regard to such property. Upon the recommendation
564 of the Attorney General, the board may reimburse the
565 investigative agency for its investigative expenses, costs, and
566 attorneys' fees, and may reimburse law enforcement agencies for
567 actual expenses incurred in conducting investigations leading to
568 the forfeiture of such property from funds deposited in the
569 Internal Improvement Trust Fund of the Department of
570 Environmental Protection. The proceeds of the sale of property
571 acquired under s. 607.0505, former s. 620.192, or ss. 895.01-
572 895.09 shall be distributed as follows:

573 (a) After satisfaction of any valid claims arising under
574 ~~the provisions of~~ s. 895.09(1) (a) or (b), any moneys used to
575 satisfy encumbrances and expended as costs of administration,
576 appraisal, management, conservation, protection, sale, and real
577 estate sales services and any interest earnings lost to the ~~Land~~
578 ~~Acquisition~~ trust fund that was used as of a date certified by
579 the Department of Environmental Protection shall be replaced
580 first in the ~~Land Acquisition~~ trust fund that was used to

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satisfy any such encumbrance or expense, if those funds were used, and then in the Internal Improvement Trust Fund; and

(b) The remainder shall be distributed as set forth in s. 895.09.

Section 14. Subsection (3), paragraphs (a) and (k) through (n) of subsection (6), and subsections (10) and (11) of section 253.034, Florida Statutes, are amended to read:

253.034 State-owned lands; uses.—

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

(6) The Board of Trustees of the Internal Improvement Trust Fund shall determine which lands, the title to which is vested in the board, may be surplus. For conservation lands, the board shall determine whether the lands are no longer needed for conservation purposes and may dispose of them by an affirmative vote of at least three members. In the case of a land exchange

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involving the disposition of conservation lands, the board must determine by an affirmative vote of at least three members that the exchange will result in a net positive conservation benefit. For all other lands, the board shall determine whether the lands are no longer needed and may dispose of them by an affirmative vote of at least three members.

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

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

(l) Proceeds from the sale of surplus conservation lands purchased on or after July 1, 2015, shall be deposited into the Land Acquisition Trust Fund or, if required by bond covenants, into the trust fund from which the lands were purchased.
~~However, if the fund from which the lands were originally acquired no longer exists, such proceeds shall be deposited into an appropriate account to be used for land management by the lead managing agency assigned the lands before the lands were declared surplus.~~

(m) Funds received from the sale of surplus nonconservation lands, or lands that were acquired by gift, by donation, or for

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no consideration, shall be deposited into the Internal Improvement Trust Fund.

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

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

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

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

(a) Not inconsistent with the management plan for such lands;

(b) Compatible with the natural ecosystem and resource values of such lands;

(c) The proposed use is appropriately located on such lands and where due consideration is given to the use of other

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available lands;

(d) The using entity reasonably compensates the titleholder for such use based upon an appropriate measure of value; and

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

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

(11) Lands listed as projects for acquisition may be managed for conservation pursuant to s. 259.032, on an interim basis by a private party in anticipation of a state purchase in accordance with a contractual arrangement between the acquiring agency and the private party that may include management service contracts, leases, cost-share arrangements or resource conservation agreements. Lands designated as eligible under this subsection shall be managed to maintain or enhance the resources the state is seeking to protect by acquiring the land. Funding for these contractual arrangements may originate from the documentary stamp tax revenue deposited into the Land Acquisition Conservation and Recreation Lands Trust Fund ~~and Water Management Lands Trust Fund~~. No more than \$6.2 million may be expended from the Land Acquisition Trust Fund ~~5 percent of funds allocated under the trust funds~~ shall be expended for this purpose.

Section 15. Section 253.7824, Florida Statutes, is amended to read:

253.7824 Sale of products; proceeds.—The department may

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697 authorize the removal and sale of products from the land where
698 environmentally appropriate, the proceeds from which shall be
699 deposited into the appropriate ~~in the Land Acquisition~~ trust
700 fund pursuant to s. 253.034(6)(k), (l), or (m).

701 Section 16. Subsection (1) of section 258.435, Florida
702 Statutes, is amended to read:

703 258.435 Use of aquatic preserves for the accommodation of
704 visitors.—

705 (1) The Department of Environmental Protection shall
706 promote the public use of aquatic preserves and their associated
707 uplands. The department may receive gifts and donations to carry
708 out the purpose of this part. Moneys received in trust by the
709 department by gift, devise, appropriation, or otherwise, subject
710 to the terms of such trust, shall be deposited into the State
711 Park ~~Land Acquisition~~ Trust Fund and appropriated to the
712 department for the administration, development, improvement,
713 promotion, and maintenance of aquatic preserves and their
714 associated uplands and for any future acquisition or development
715 of aquatic preserves and their associated uplands.

716 Section 17. Section 259.032, Florida Statutes, is amended
717 to read:

718 259.032 Conservation and recreation lands ~~Trust Fund;~~
719 ~~purpose.~~—

720 (1) It is the policy of the state that the citizens of this
721 state shall be assured public ownership of natural areas for
722 purposes of maintaining this state's unique natural resources;
723 protecting air, land, and water quality; promoting water
724 resource development to meet the needs of natural systems and
725 citizens of this state; promoting restoration activities on

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public lands; and providing lands for natural resource based recreation. In recognition of this policy, it is the intent of the Legislature to provide such public lands for the people residing in urban and metropolitan areas of the state, as well as those residing in less populated, rural areas. It is the further intent of the Legislature, with regard to the lands described in paragraph (2) (c) ~~(3) (e)~~, that a high priority be given to the acquisition, restoration, and management of such lands in or near counties exhibiting the greatest concentration of population and, with regard to the lands described in subsection (2) ~~(3)~~, that a high priority be given to acquiring lands or rights or interests in lands that advance the goals and objectives of the Fish and Wildlife Conservation Commission's approved species or habitat recovery plans, or lands within any area designated as an area of critical state concern under s. 380.05 which, in the judgment of the advisory council established pursuant to s. 259.035, or its successor, cannot be adequately protected by application of land development regulations adopted pursuant to s. 380.05. Finally, it is the Legislature's intent that lands acquired for conservation and recreation purposes ~~through this program and any successor programs~~ be managed in such a way as to protect or restore their natural resource values, and provide the greatest benefit, including public access, to the citizens of this state.

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

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755 ~~1. The excise taxes on documents as provided in s. 201.15,~~
756 ~~and~~

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

759
760 ~~The Department of Revenue shall credit to the fund each month~~
761 ~~the proceeds from such taxes as provided in this paragraph.~~

762 ~~(b) There shall annually be transferred from the~~
763 ~~Conservation and Recreation Lands Trust Fund to the Land~~
764 ~~Acquisition Trust Fund that amount, not to exceed \$20 million~~
765 ~~annually, as shall be necessary to pay the debt service on, or~~
766 ~~fund debt service reserve funds, rebate obligations, or other~~
767 ~~amounts with respect to bonds issued pursuant to s. 375.051 to~~
768 ~~acquire lands on the established priority list developed~~
769 ~~pursuant to ss. 259.101(4) and 259.105; however, no moneys~~
770 ~~transferred to the Land Acquisition Trust Fund pursuant to this~~
771 ~~paragraph, or earnings thereon, shall be used or made available~~
772 ~~to pay debt service on the Save Our Coast revenue bonds. Amounts~~
773 ~~transferred annually from the Conservation and Recreation Lands~~
774 ~~Trust Fund to the Land Acquisition Trust Fund pursuant to this~~
775 ~~paragraph shall have the highest priority over other payments or~~
776 ~~transfers from the Conservation and Recreation Lands Trust Fund,~~
777 ~~and no other payments or transfers shall be made from the~~
778 ~~Conservation and Recreation Lands Trust Fund until such~~
779 ~~transfers to the Land Acquisition Trust Fund have been made.~~
780 ~~Moneys in the Conservation and Recreation Lands Trust Fund also~~
781 ~~shall be used to manage lands and to pay for related costs,~~
782 ~~activities, and functions pursuant to the provisions of this~~
783 ~~section.~~

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784 (2)~~(3)~~ The Governor and Cabinet, sitting as the Board of
785 Trustees of the Internal Improvement Trust Fund, may expend
786 allocate moneys appropriated by the Legislature ~~from the fund in~~
787 ~~any one year~~ to acquire the fee or any lesser interest in lands
788 for the following public purposes:

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

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

796 (c) To conserve and protect native species habitat or
797 endangered or threatened species, emphasizing long-term
798 protection for endangered or threatened species designated G-1
799 or G-2 by the Florida Natural Areas Inventory, and especially
800 those areas that are special locations for breeding and
801 reproduction;

802 (d) To conserve, protect, manage, or restore important
803 ecosystems, landscapes, and forests, if the protection and
804 conservation of such lands is necessary to enhance or protect
805 significant surface water, groundwater, coastal, recreational,
806 timber, or fish or wildlife resources which cannot otherwise be
807 accomplished through local and state regulatory programs;

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

810 (f) To facilitate the restoration and subsequent health and
811 vitality of the Florida Everglades;

812 (g) To provide areas, including recreational trails, for

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813 natural resource based recreation and other outdoor recreation
814 on any part of any site compatible with conservation purposes;

815 (h) To preserve significant archaeological or historic
816 sites;

817 (i) To conserve urban open spaces suitable for greenways or
818 outdoor recreation which are compatible with conservation
819 purposes; or

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

822 (3)(4) Lands acquired for conservation and recreation
823 purposes under this section shall be for use as state-designated
824 parks, recreation areas, preserves, reserves, historic or
825 archaeological sites, geologic or botanical sites, recreational
826 trails, forests, wilderness areas, wildlife management areas,
827 urban open space, or other state-designated recreation or
828 conservation lands; or they shall qualify for such state
829 designation and use if they are to be managed by other
830 governmental agencies or nonstate entities as provided for in
831 this section.

832 (4)(5) The board of trustees may expend appropriated funds
833 allocate, in any year, an amount not to exceed 5 percent of the
834 money credited to the fund in that year, such allocation to be
835 used for the initiation and maintenance of a natural areas
836 inventory to aid in the identification of areas to be acquired
837 for conservation and recreation purposes pursuant to this
838 section.

839 ~~(6) Moneys in the fund not needed to meet obligations~~
840 ~~incurred under this section shall be deposited with the Chief~~
841 ~~Financial Officer to the credit of the fund and may be invested~~

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842 ~~in the manner provided by law. Interest received on such~~
843 ~~investments shall be credited to the Conservation and Recreation~~
844 ~~Lands Trust Fund.~~

845 (5)~~(7)~~ The board of trustees may enter into any contract
846 necessary to accomplish the purposes of this section. The lead
847 land managing agencies designated by the board of trustees also
848 are directed by the Legislature to enter into contracts or
849 interagency agreements with other governmental entities,
850 including local soil and water conservation districts, or
851 private land managers who have the expertise to perform specific
852 management activities which a lead agency lacks, or which would
853 cost more to provide in-house. Such activities shall include,
854 but not be limited to, controlled burning, road and ditch
855 maintenance, mowing, and wildlife assessments.

856 (6)~~(8)~~ Conservation and recreation lands ~~to be considered~~
857 ~~for purchase under this section~~ are subject to the selection
858 procedures of s. 259.035 and related rules and shall be acquired
859 in accordance with acquisition procedures for state lands
860 provided for in s. 259.041, except as otherwise provided by the
861 Legislature. An inholding or an addition to conservation and
862 recreation lands ~~a project selected for purchase pursuant to~~
863 ~~this chapter~~ is not subject to the selection procedures of s.
864 259.035 if the estimated value of such inholding or addition
865 does not exceed \$500,000. When at least 90 percent of the
866 acreage of a project has been purchased for conservation and
867 recreation purposes ~~pursuant to this chapter~~, the project may be
868 removed from the list and the remaining acreage may continue to
869 be purchased. Funds appropriated to acquire conservation and
870 recreation lands ~~Moneys from the fund~~ may be used for title

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work, appraisal fees, environmental audits, and survey costs related to acquisition expenses for lands to be acquired, donated, or exchanged which qualify under the categories of this section, at the discretion of the board. When the Legislature has authorized the Department of Environmental Protection to condemn a specific parcel of land and such parcel has already been approved for acquisition ~~under this section~~, the land may be acquired in accordance with the provisions of chapter 73 or chapter 74, and the funds appropriated to acquire conservation and recreation lands ~~fund~~ may be used to pay the condemnation award and all costs, including a reasonable attorney's fee, associated with condemnation.

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

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

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

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

(d) Concurrent with its adoption of the annual ~~Conservation and Recreation Lands~~ list of acquisition projects pursuant to s. 259.035, the board of trustees shall adopt a management

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prospectus for each project. The management prospectus shall delineate:

1. The management goals for the property;
2. The conditions that will affect the intensity of management;
3. An estimate of the revenue-generating potential of the property, if appropriate;
4. A timetable for implementing the various stages of management and for providing access to the public, if applicable;
5. A description of potential multiple-use activities as described in this section and s. 253.034;
6. Provisions for protecting existing infrastructure and for ensuring the security of the project upon acquisition;
7. The anticipated costs of management and projected sources of revenue, including legislative appropriations, to fund management needs; and
8. Recommendations as to how many employees will be needed to manage the property, and recommendations as to whether local governments, volunteer groups, the former landowner, or other interested parties can be involved in the management.

(e) Concurrent with the approval of the acquisition contract pursuant to s. 259.041(3)(c) for any interest in lands except those lands being acquired under the provisions of s. 259.1052, the board of trustees shall designate an agency or agencies to manage such lands. The board shall evaluate and amend, as appropriate, the management policy statement for the project as provided by s. 259.035, consistent with the purposes for which the lands are acquired. For any fee simple acquisition

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of a parcel which is or will be leased back for agricultural purposes, or any acquisition of a less-than-fee interest in land that is or will be used for agricultural purposes, the Board of Trustees of the Internal Improvement Trust Fund shall first consider having a soil and water conservation district, created pursuant to chapter 582, manage and monitor such interests.

(f) State agencies designated to manage lands acquired under this chapter or with funds deposited into the Land Acquisition Trust Fund pursuant to s. 28(a), Art. X of the State Constitution, except those lands acquired under s. 259.1052, may contract with local governments and soil and water conservation districts to assist in management activities, including the responsibility of being the lead land manager. Such land management contracts may include a provision for the transfer of management funding to the local government or soil and water conservation district from the land acquisition ~~Conservation and Recreation Lands~~ trust fund of the lead land managing agency in an amount adequate for the local government or soil and water conservation district to perform its contractual land management responsibilities and proportionate to its responsibilities, and which otherwise would have been expended by the state agency to manage the property.

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

(8) ~~(10)~~ (a) State, regional, or local governmental agencies

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or private entities designated to manage lands under this section shall develop and adopt, with the approval of the board of trustees, an individual management plan for each project designed to conserve and protect such lands and their associated natural resources. Private sector involvement in management plan development may be used to expedite the planning process.

(b) Individual management plans required by s. 253.034(5), for parcels over 160 acres, shall be developed with input from an advisory group. Members of this advisory group shall include, at a minimum, representatives of the lead land managing agency, comanaging entities, local private property owners, the appropriate soil and water conservation district, a local conservation organization, and a local elected official. The advisory group shall conduct at least one public hearing within the county in which the parcel or project is located. For those parcels or projects that are within more than one county, at least one areawide public hearing shall be acceptable and the lead managing agency shall invite a local elected official from each county. The areawide public hearing shall be held in the county in which the core parcels are located. Notice of such public hearing shall be posted on the parcel or project designated for management, advertised in a paper of general circulation, and announced at a scheduled meeting of the local governing body before the actual public hearing. The management prospectus required pursuant to paragraph (7) (d) ~~(9) (d)~~ shall be available to the public for a period of 30 days prior to the public hearing.

(c) Once a plan is adopted, the managing agency or entity shall update the plan at least every 10 years in a form and

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manner prescribed by rule of the board of trustees. Such updates, for parcels over 160 acres, shall be developed with input from an advisory group. Such plans may include transfers of leasehold interests to appropriate conservation organizations or governmental entities designated by the Land Acquisition and Management Advisory Council or its successor, for uses consistent with the purposes of the organizations and the protection, preservation, conservation, restoration, and proper management of the lands and their resources. Volunteer management assistance is encouraged, including, but not limited to, assistance by youths participating in programs sponsored by state or local agencies, by volunteers sponsored by environmental or civic organizations, and by individuals participating in programs for committed delinquents and adults.

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

2. The requirements of subparagraph 1. do not apply to the individual management plan for the Babcock Crescent B Ranch being acquired pursuant to s. 259.1052. The management plan for the ranch shall be adopted and in place no later than 2 years

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following the date of acquisition by the state.

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

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

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

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

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

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

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

7. A determination of the public uses and public access

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that would be consistent with the purposes for which the lands were acquired.

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

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

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

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

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

By July 1 of each year, each governmental agency and each private entity designated to manage lands shall report to the Secretary of Environmental Protection on the progress of

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1074 funding, staffing, and resource management of every project for
1075 which the agency or entity is responsible.

1076 (9)~~(11)~~(a) The Legislature recognizes that acquiring lands
1077 pursuant to this chapter serves the public interest by
1078 protecting land, air, and water resources which contribute to
1079 the public health and welfare, providing areas for natural
1080 resource based recreation, and ensuring the survival of unique
1081 and irreplaceable plant and animal species. The Legislature
1082 intends for these lands to be managed and maintained for the
1083 purposes for which they were acquired and for the public to have
1084 access to and use of these lands where it is consistent with
1085 acquisition purposes and would not harm the resources the state
1086 is seeking to protect on the public's behalf.

1087 (b) An amount of not less than 1.5 percent of the
1088 cumulative total of funds ever deposited into the Florida
1089 Preservation 2000 Trust Fund and the Florida Forever Trust Fund
1090 shall be made available for the purposes of management,
1091 maintenance, and capital improvements ~~not eligible for funding~~
1092 ~~pursuant to s. 11(c), Art. VII of the State Constitution, and~~
1093 for associated contractual services, for conservation and
1094 recreation lands acquired with funds deposited into the Land
1095 Acquisition Trust Fund pursuant to s. 28(a), Art. X of the State
1096 Constitution or pursuant to former s. 259.032, Florida Statutes
1097 2014 ~~this section, former~~ s. 259.101, Florida Statutes 2014, s.
1098 259.105, s. 259.1052, or previous programs for the acquisition
1099 of lands for conservation and recreation, including state
1100 forests, to which title is vested in the board of trustees and
1101 other conservation and recreation lands managed by a state
1102 agency. ~~Of this amount, \$250,000 shall be transferred annually~~

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~~to the Plant Industry Trust Fund within the Department of
Agriculture and Consumer Services for the purpose of
implementing the Endangered or Threatened Native Flora
Conservation Grants Program pursuant to s. 581.185(11). Each
agency with management responsibilities shall annually request
from the Legislature funds sufficient to fulfill such
responsibilities to implement individual management plans. For
the purposes of this paragraph, capital improvements shall
include, but need not be limited to, perimeter fencing, signs,
firelanes, access roads and trails, and minimal public
accommodations, such as primitive campsites, garbage
receptacles, and toilets. Any equipment purchased with funds
provided pursuant to this paragraph may be used for the purposes
described in this paragraph on any conservation and recreation
lands managed by a state agency. The funding requirement created
in this paragraph is subject to an annual evaluation by the
Legislature in order to ensure that such requirement does not
impact the respective trust fund in a manner that would prevent
the trust fund from meeting other minimum requirements.~~

(c) All revenues generated through multiple-use management
or compatible secondary-use management shall be returned to the
lead agency responsible for such management and shall be used to
pay for management activities on all conservation, preservation,
and recreation lands under the agency's jurisdiction. In
addition, such revenues shall be segregated in an agency trust
fund and shall remain available to the agency in subsequent
fiscal years to support land management appropriations. For the
purposes of this paragraph, compatible secondary-use management
shall be those activities described in subsection (7) ~~(9)~~

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undertaken on parcels designated as single use pursuant to s.
253.034(2) (b) .

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

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

~~(f) For the 2014-2015 fiscal year only, moneys in the
Conservation and Recreation Lands Trust Fund may be transferred
to the Florida Forever Trust Fund for the Florida Forever
program and to the Save Our Everglades Trust Fund to support~~

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~~Everglades restoration projects included in the final report of the Select Committee on Indian River Lagoon and Lake Okeechobee Basin, dated November 8, 2013, pursuant to nonoperating budget authority under s. 216.181(12). This subsection expires July 1, 2015.~~

~~(10)(12)(a) Beginning July 1, 1999, The Legislature may expend ~~shall make available sufficient~~ funds annually from an appropriate the Conservation and Recreation Lands trust fund to the department for payment in lieu of taxes to qualifying counties and local governments as defined in paragraph (b) for all actual tax losses incurred as a result of board of trustees acquisitions for state agencies under the Florida Forever program or the former Florida Preservation 2000 program ~~during any year. Reserved funds not used for payments in lieu of taxes in any year shall revert to the fund to be used for land management in accordance with the provisions of this section.~~~~

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

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

2. To all local governments located in eligible counties.

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

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

(d) The payment amount shall be based on the average amount of actual taxes paid on the property for the 3 years preceding acquisition. Applications for payment in lieu of taxes shall be made no later than January 31 of the year following acquisition. No payment in lieu of taxes shall be made for properties which were exempt from ad valorem taxation for the year immediately preceding acquisition.

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

(f) Payment in lieu of taxes pursuant to this subsection shall be made annually to qualifying counties and local governments after certification by the Department of Revenue that the amounts applied for are reasonably appropriate, based on the amount of actual taxes paid on the eligible property. With the assistance of the local government requesting payment

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1219 in lieu of taxes, the state agency that acquired the land is
1220 responsible for preparing and submitting application requests
1221 for payment to the Department of Revenue for certification.

1222 (g) If the board of trustees conveys to a local government
1223 title to any land owned by the board, any payments in lieu of
1224 taxes on the land made to the local government shall be
1225 discontinued as of the date of the conveyance.

1226
1227 For the purposes of this subsection, "local government" includes
1228 municipalities, the county school board, mosquito control
1229 districts, and any other local government entity which levies ad
1230 valorem taxes, with the exception of a water management
1231 district.

1232 ~~(13) Moneys credited to the fund each year which are not~~
1233 ~~used for management, maintenance, or capital improvements~~
1234 ~~pursuant to subsection (11); for payment in lieu of taxes~~
1235 ~~pursuant to subsection (12); or for the purposes of subsection~~
1236 ~~(5), shall be available for the acquisition of land pursuant to~~
1237 ~~this section.~~

1238 (11)~~(14)~~ The board of trustees may adopt rules to further
1239 define the categories of land for acquisition under this
1240 chapter.

1241 (12)~~(15)~~ Within 90 days after receiving a certified letter
1242 from the owner of a property on the ~~Conservation and Recreation~~
1243 ~~Lands list or the~~ priority list established pursuant to s.
1244 259.105 objecting to the property being included in an
1245 acquisition project, where such property is a project or part of
1246 a project which has not been listed for purchase in the current
1247 year's land acquisition work plan, the board of trustees shall

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delete the property from the list or from the boundary of an acquisition project on the list.

Section 18. Subsections (3), (4), and (6) of section 259.035, Florida Statutes, are amended to read:

259.035 Acquisition and Restoration Council.—

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

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

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

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

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

(6) The proposal for a project pursuant to this section or s. 259.105(3)(b) may be implemented only if adopted by the council and approved by the board of trustees. The council shall consider and evaluate in writing the merits and demerits of each project that is proposed for acquisition using funds available pursuant to s. 28, Art. X of the State Constitution ~~Conservation and Recreation Lands, Florida Preservation 2000,~~ or Florida Forever funding and shall ensure that each proposed project meets the requirements of s. 28, Art. X of the State Constitution ~~will meet a stated public purpose for the restoration, conservation, or preservation of environmentally sensitive lands and water areas or for providing outdoor recreational opportunities.~~ The council also shall determine whether the project conforms, where applicable, with the comprehensive plan developed pursuant to s. 259.04(1)(a), the comprehensive multipurpose outdoor recreation plan developed pursuant to s. 375.021, the state lands management plan adopted pursuant to s. 253.03(7), the water resources work plans

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developed pursuant to s. 373.199, and the provisions of s. 259.032, s. 259.101, or s. 259.105, whichever is applicable.

Section 19. Subsection (4) of section 259.036, Florida Statutes, is amended to read:

259.036 Management review teams.—

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

Section 20. Paragraph (b) of subsection (3) of section 259.037, Florida Statutes, is amended to read:

259.037 Land Management Uniform Accounting Council.—

(3)

(b) Each reporting agency shall also:

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

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

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1335 3. List acres managed and cost of management for each park,
1336 preserve, forest, reserve, or management area.

1337 4. List acres managed, cost of management, and lead manager
1338 for each state lands management unit for which secondary
1339 management activities were provided.

1340 5. Include a report of the estimated calculable financial
1341 benefits to the public for the ecosystem services provided by
1342 conservation lands, based on the best readily available
1343 information or science that provides a standard measurement
1344 methodology to be consistently applied by the land managing
1345 agencies. Such information may include, but need not be limited
1346 to, the value of natural lands for protecting the quality and
1347 quantity of drinking water through natural water filtration and
1348 recharge, contributions to protecting and improving air quality,
1349 benefits to agriculture through increased soil productivity and
1350 preservation of biodiversity, and savings to property and lives
1351 through flood control.

1352 Section 21. Subsection (1) of section 259.04, Florida
1353 Statutes, is amended to read:

1354 259.04 Board; powers and duties.—

1355 (1) For projects and acquisitions selected for purchase
1356 pursuant to ss. 259.035, ~~259.101~~, and 259.105:

1357 (a) The board is given the responsibility, authority, and
1358 power to develop and execute a comprehensive, statewide 5-year
1359 plan to conserve, restore, and protect environmentally
1360 endangered lands, ecosystems, lands necessary for outdoor
1361 recreational needs, and other lands as identified in ss.
1362 259.032, ~~259.101~~, and 259.105. This plan shall be kept current
1363 through continual reevaluation and revision. The advisory

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council or its successor shall assist the board in the development, reevaluation, and revision of the plan.

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

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

(d) The board is authorized to acquire, by purchase, gift, or devise or otherwise, the fee title or any lesser interest of lands, water areas, and related resources for environmentally endangered lands.

Section 22. Paragraphs (a) and (b) of subsection (11) and subsection (15) of section 259.041, Florida Statutes, are amended to read:

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

(11) (a) The Legislature finds that, with the increasing pressures on the natural areas of this state and on open space suitable for recreational use, the state must develop creative techniques to maximize the use of acquisition and management funds. The Legislature also finds that the state's conservation

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and recreational land acquisition agencies should be encouraged to augment their traditional, fee simple acquisition programs with the use of alternatives to fee simple acquisition techniques. Additionally, the Legislature finds that generations of private landowners have been good stewards of their land, protecting or restoring native habitats and ecosystems to the benefit of the natural resources of this state, its heritage, and its citizens. The Legislature also finds that using alternatives to fee simple acquisition by public land acquisition agencies will achieve the following public policy goals:

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

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

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

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

(b) All project applications shall identify, within their

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acquisition plans, projects that require a full fee simple interest to achieve the public policy goals, together with the reasons full title is determined to be necessary. The state agencies and the water management districts may use alternatives to fee simple acquisition to bring the remaining projects in their acquisition plans under public protection. For the purposes of this subsection, the term "alternatives to fee simple acquisition" includes, but is not limited to: purchase of development rights; obtaining conservation easements; obtaining flowage easements; purchase of timber rights, mineral rights, or hunting rights; purchase of agricultural interests or silvicultural interests; ~~entering into land protection agreements as defined in s. 380.0677(3);~~ fee simple acquisitions with reservations; creating life estates; or any other acquisition technique that achieves the public policy goals listed in paragraph (a). It is presumed that a private landowner retains the full range of uses for all the rights or interests in the landowner's land which are not specifically acquired by the public agency. The lands upon which hunting rights are specifically acquired pursuant to this paragraph shall be available for hunting in accordance with the management plan or hunting regulations adopted by the Florida Fish and Wildlife Conservation Commission, unless the hunting rights are purchased specifically to protect activities on adjacent lands.

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

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

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

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

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

Section 23. Section 259.101, Florida Statutes, is amended to read:

259.101 Florida Preservation 2000 Act.—

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

(2) LEGISLATIVE FINDINGS.—The Legislature finds and

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declares that:

(a) The alteration and development of Florida's natural areas to accommodate its rapidly growing population have contributed to the degradation of water resources, the fragmentation and destruction of wildlife habitats, the loss of recreation space, and the diminishment of wetlands and forests.

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

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

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

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submitted by local governments which further the goals, objectives, and policies of the conservation, recreation and open space, or coastal elements of their local comprehensive plans or which serve to conserve natural resources or resolve land use conflicts.

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

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

(3) TITLE TO CERTAIN PROPERTY ACQUIRED WITH PRESERVATION 2000 BONDS ~~LAND ACQUISITION PROGRAMS SUPPLEMENTED. Less the costs of issuance, the costs of funding reserve accounts, and other costs with respect to the bonds, the proceeds of bonds issued pursuant to this act shall be deposited into the Florida Preservation 2000 Trust Fund created by s. 375.045. In fiscal year 2000-2001, for each Florida Preservation 2000 program described in paragraphs (a) - (g), that portion of each program's~~

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~~total remaining cash balance which, as of June 30, 2000, is in excess of that program's total remaining appropriation balances shall be redistributed by the department and deposited into the Save Our Everglades Trust Fund for land acquisition. For purposes of calculating the total remaining cash balances for this redistribution, the Florida Preservation 2000 Series 2000 bond proceeds, including interest thereon, and the fiscal year 1999-2000 General Appropriations Act amounts shall be deducted from the remaining cash and appropriation balances, respectively. The remaining proceeds shall be distributed by the Department of Environmental Protection in the following manner:~~

~~(a) Fifty percent to the Department of Environmental Protection for the purchase of public lands as described in s. 259.032. Of this 50 percent, at least one-fifth shall be used for the acquisition of coastal lands.~~

~~(b) Thirty percent to the Department of Environmental Protection for the purchase of water management lands pursuant to s. 373.59, to be distributed among the water management districts as provided in that section. Funds received by each district may also be used for acquisition of lands necessary to implement surface water improvement and management plans or for acquisition of lands necessary to implement the Everglades Construction Project authorized by s. 373.4592.~~

~~(c) Ten percent to the Department of Environmental Protection to provide land acquisition grants and loans to local governments through the Florida Communities Trust pursuant to part III of chapter 380. From funds allocated to the trust, \$3 million annually shall be used by the Division of State Lands within the Department of Environmental Protection to implement~~

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~~the Green Swamp Land Protection Initiative specifically for the purchase of conservation easements, as defined in s. 380.0677(3), of lands, or severable interests or rights in lands, in the Green Swamp Area of Critical State Concern. From funds allocated to the trust, \$3 million annually shall be used by the Monroe County Comprehensive Plan Land Authority specifically for the purchase of a real property interest in those lands subject to the Rate of Growth Ordinances adopted by local governments in Monroe County or those lands within the boundary of an approved Conservation and Recreation Lands project located within the Florida Keys or Key West Areas of Critical State Concern; however, title to lands acquired within the boundary of an approved Conservation and Recreation Lands project may, in accordance with an approved joint acquisition agreement, vest in the Board of Trustees of the Internal Improvement Trust Fund. Of the remaining funds, one-half shall be matched by local governments on a dollar-for-dollar basis. To the extent allowed by federal requirements for the use of bond proceeds, the trust shall expend Preservation 2000 funds to carry out the purposes of part III of chapter 380.~~

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

~~(e) Two and nine-tenths percent to the Florida Forest Service of the Department of Agriculture and Consumer Services to fund the acquisition of state forest inholdings and additions~~

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pursuant to ~~s. 589.07.~~

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

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

~~Local governments may use federal grants or loans, private donations, or environmental mitigation funds, including environmental mitigation funds required pursuant to s. 338.250, for any part or all of any local match required for the purposes described in this subsection. Bond proceeds allocated pursuant to paragraph (c) may be used to purchase lands on the priority lists developed pursuant to s. 259.035. Title to lands purchased pursuant to former paragraphs (a), (d), (e), (f), or and (g) of this subsection, Florida Statutes 2014,~~ shall be vested in the Board of Trustees of the Internal Improvement Trust Fund. Title to lands purchased pursuant to former paragraph (c) of this subsection, Florida Statutes 2014, may be vested in the Board of Trustees of the Internal Improvement Trust Fund. The board of trustees shall hold title to land protection agreements and conservation easements that were ~~or will be~~ acquired pursuant to former s. 380.0677, Florida Statutes 2014, and the Southwest Florida Water Management District and the St. Johns River Water

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Management District shall monitor such agreements and easements within their respective districts until the state assumes this responsibility.

~~(4) PROJECT CRITERIA.~~

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

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

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

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

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

~~5. A significant portion of the land in the project serves as habitat for endangered, threatened, or rare species or serves to protect natural communities which are listed by the Florida Natural Areas Inventory as critically imperiled, imperiled, or~~

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1654 ~~rare, or as excellent quality occurrences of natural~~
1655 ~~communities; or~~

1656 ~~6. A significant portion of the land serves to preserve~~
1657 ~~important archaeological or historical sites.~~

1658 ~~(b) Each year that bonds are to be issued pursuant to this~~
1659 ~~act, the Land Acquisition and Management Advisory Council shall~~
1660 ~~review that year's approved Conservation and Recreation Lands~~
1661 ~~priority list and shall, by the first board meeting in February,~~
1662 ~~present to the Board of Trustees of the Internal Improvement~~
1663 ~~Trust Fund for approval a listing of projects on the list which~~
1664 ~~meet one or more of the criteria listed in paragraph (a). The~~
1665 ~~board may remove projects from the list developed pursuant to~~
1666 ~~this paragraph, but may not add projects.~~

1667 ~~(c) Each year that bonds are to be issued pursuant to this~~
1668 ~~act, each water management district governing board shall review~~
1669 ~~the lands on its current year's Save Our Rivers 5-year plan and~~
1670 ~~shall, by January 15, adopt a listing of projects from the plan~~
1671 ~~which meet one or more of the criteria listed in paragraph (a).~~

1672 ~~(d) In the acquisition of coastal lands pursuant to~~
1673 ~~paragraph (3)(a), the following additional criteria shall also~~
1674 ~~be considered:~~

1675 ~~1. The value of acquiring coastal high-hazard parcels,~~
1676 ~~consistent with hazard mitigation and postdisaster redevelopment~~
1677 ~~policies, in order to minimize the risk to life and property and~~
1678 ~~to reduce the need for future disaster assistance.~~

1679 ~~2. The value of acquiring beachfront parcels, irrespective~~
1680 ~~of size, to provide public access and recreational opportunities~~
1681 ~~in highly developed urban areas.~~

1682 ~~3. The value of acquiring identified parcels the~~

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development of which would adversely affect coastal resources.

When a nonprofit environmental organization which is tax-exempt pursuant to s. 501(c)(3) of the United States Internal Revenue Code sells land to the state, such land at the time of such sale shall be deemed to meet one or more of the criteria listed in paragraph (a) if such land meets one or more of the criteria at the time the organization purchases it. Listings of projects compiled pursuant to paragraphs (b) and (c) may be revised to include projects on the Conservation and Recreation Lands priority list or in a water management district's 5-year plan which come under the criteria in paragraph (a) after the dates specified in paragraph (b) or paragraph (c). The requirement of paragraph (3)(a) regarding coastal lands is met as long as an average of one-fifth of the cumulative proceeds allocated through fiscal year 1999-2000 pursuant to that paragraph is used to purchase coastal lands.

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

(f) The Legislature intends that, in the remaining years of the Florida Preservation 2000 Program, emphasis be given to the

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1712 ~~completion of projects in which one or more parcels have already~~
1713 ~~been acquired and to the acquisition of lands containing~~
1714 ~~ecological resources which are either not represented or~~
1715 ~~underrepresented on lands currently in public ownership. The~~
1716 ~~Legislature also intends that future acquisitions under the~~
1717 ~~Florida Preservation 2000 Program be limited to projects on the~~
1718 ~~current project lists, or any additions to the list as~~
1719 ~~determined and prioritized by the study, or those projects that~~
1720 ~~can reasonably be expected to be acquired by the end of the~~
1721 ~~Florida Preservation 2000 Program.~~

1722 (4) FLORIDA FOREST SERVICE FUND USE. ~~(5) Any funds~~
1723 ~~received by the Florida Forest Service from the Preservation~~
1724 ~~2000 Trust Fund pursuant to paragraph (3) (c) shall be used only~~
1725 ~~to pay the cost of the acquisition of lands in furtherance of~~
1726 ~~outdoor recreation and natural resources conservation in this~~
1727 ~~state. The administration and use of any funds received by the~~
1728 ~~Florida Forest Service from the Preservation 2000 Trust Fund~~
1729 ~~will be subject to such terms and conditions imposed thereon by~~
1730 ~~the agency of the state responsible for the issuance of the~~
1731 ~~revenue bonds, the proceeds of which are deposited in the~~
1732 ~~Preservation 2000 Trust Fund, including restrictions imposed to~~
1733 ~~ensure that the interest on any such revenue bonds issued by the~~
1734 ~~state as tax-exempt revenue bonds will not be included in the~~
1735 ~~gross income of the holders of such bonds for federal income tax~~
1736 ~~purposes. All deeds or leases with respect to any real property~~
1737 ~~acquired with Preservation 2000 funds must received by the~~
1738 ~~Florida Forest Service from the Preservation 2000 Trust Fund~~
1739 ~~shall contain sufficient such covenants and restrictions as are~~
1740 ~~sufficient to ensure that the use of such real property at all~~

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times complies with s. 375.051 and s. 9, Art. XII of the 1968 Constitution of Florida, and ~~shall contain~~ reverter clauses providing for the reversion of title to such property to the Board of Trustees of the Internal Improvement Trust Fund or, in the case of a lease of such property, providing for termination of the lease upon a failure to use the property conveyed thereby for such purposes.

(5) ~~(6)~~ DISPOSITION OF LANDS.—

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

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

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1770 intent of the Florida Preservation 2000 Act. Any lands eligible
1771 to be disposed of under this procedure also may be used to
1772 acquire other lands through an exchange of lands ~~if, provided~~
1773 such lands obtained in an exchange are described in the same
1774 paragraph of former subsection (3) of this section, Florida
1775 Statutes 2014, as the lands disposed.

1776 (c) ~~Notwithstanding paragraphs (a) and (b), no such~~
1777 ~~disposition of land shall be made if such disposition would have~~
1778 ~~the effect of causing all or any portion of the interest on any~~
1779 ~~revenue bonds issued to fund the Florida Preservation 2000 Act~~
1780 ~~to lose their exclusion from gross income for purposes of~~
1781 ~~federal income taxation. Any~~ Revenue derived from the disposal
1782 of ~~such~~ lands acquired with Preservation 2000 funds may not be
1783 used for any purpose except for deposit into the Florida
1784 ~~Preservation 2000 Trust Fund, or the~~ Florida Forever Trust Fund
1785 within the Department of Environmental Protection, for recredit
1786 to the share held under former subsection (3) of this section,
1787 Florida Statutes 2014, in which such disposed land is described.

1788 (6) ~~(7)~~ ALTERNATE USES OF ACQUIRED LANDS.—

1789 (a) The Board of Trustees of the Internal Improvement Trust
1790 Fund, or, in the case of water management district lands, the
1791 owning water management district, may authorize the granting of
1792 a lease, easement, or license for the use of any lands acquired
1793 pursuant to former subsection (3) of this section, Florida
1794 Statutes 2014, for any governmental use permitted by s. 17, Art.
1795 IX of the State Constitution of 1885, as adopted by s. 9(a),
1796 Art. XII of the State Constitution, and any other incidental
1797 public or private use that is determined by the board or the
1798 owning water management district to be compatible with the

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1799 purposes for which such lands were acquired.

1800 (b) Any existing lease, easement, or license acquired for
1801 incidental public or private use on, under, or across any lands
1802 acquired pursuant to former subsection (3) of this section,
1803 Florida Statutes 2014, shall be presumed not to be incompatible
1804 with the purposes for which such lands were acquired.

1805 ~~(c) Notwithstanding the provisions of paragraph (a), no~~
1806 ~~such lease, easement, or license shall be entered into by the~~
1807 ~~Department of Environmental Protection or other appropriate~~
1808 ~~state agency if the granting of such lease, easement, or license~~
1809 ~~would adversely affect the exclusion of the interest on any~~
1810 ~~revenue bonds issued to fund the acquisition of the affected~~
1811 ~~lands from gross income for federal income tax purposes, as~~
1812 ~~described in s. 375.045(4).~~

1813 (7) ALTERNATIVES TO FEE SIMPLE ACQUISITION. ~~(8)~~

1814 (a) The Legislature finds that, with the increasing
1815 pressures on the natural areas of this state, the state must
1816 develop creative techniques to maximize the use of acquisition
1817 and management moneys. The Legislature ~~also~~ finds that the
1818 state's environmental land-buying agencies should be encouraged
1819 to augment their traditional, fee simple acquisition programs
1820 with the use of alternatives to fee simple acquisition
1821 techniques. The Legislature also finds that using alternatives
1822 to fee simple acquisition by public land-buying agencies will
1823 achieve the following public policy goals:

1824 1. Allow more lands to be brought under public protection
1825 for preservation, conservation, and recreational purposes at
1826 less expense using public funds.

1827 2. Retain, on local government tax rolls, some portion of

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or interest in lands that ~~which~~ are under public protection.

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

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

(b) The Land Acquisition Advisory Council and the water management districts shall identify, within their 1997 acquisition plans, those projects that ~~which~~ require a full fee simple interest to achieve the public policy goals, along with the reasons why full title is determined to be necessary. The council and the water management districts may use alternatives to fee simple acquisition to bring the remaining projects in their acquisition plans under public protection. For the purposes of this subsection, the term "alternatives to fee simple acquisition" includes the, ~~but is not limited to:~~

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1857 purchase of development rights; conservation easements; flowage
1858 easements; the purchase of timber rights, mineral rights, or
1859 hunting rights; the purchase of agricultural interests or
1860 silvicultural interests; land protection agreements; fee simple
1861 acquisitions with reservations; or any other acquisition
1862 technique that ~~which~~ achieves the public policy goals identified
1863 ~~listed~~ in paragraph (a). It is presumed that a private landowner
1864 retains the full range of uses for all the rights or interests
1865 in the landowner's land which are not specifically acquired by
1866 the public agency. Life estates and fee simple acquisitions with
1867 leaseback provisions do ~~shall~~ not qualify as an alternative to
1868 fee simple acquisition under this subsection, although the
1869 department and the districts are encouraged to use such
1870 techniques if ~~where~~ appropriate.

1871 (c) The department and each water management district shall
1872 implement initiatives to use alternatives to fee simple
1873 acquisition and to educate private landowners about such
1874 alternatives. These initiatives must ~~shall~~ include at least two
1875 acquisitions a year by the department and each water management
1876 district utilizing alternatives to fee simple.

1877 (d) The Legislature finds that the lack of direct sales
1878 comparison information has served as an impediment to successful
1879 implementation of alternatives to fee simple acquisition. It is
1880 the intent of the Legislature that, in the absence of direct
1881 comparable sales information, appraisals of alternatives to fee
1882 simple acquisitions be based on the difference between the full
1883 fee simple valuation and the value of the interests remaining
1884 with the seller after acquisition.

1885 (e) The public agency that ~~which~~ has been assigned

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management responsibility shall inspect and monitor any less-than-fee-simple interest according to the terms of the purchase agreement relating to such interest.

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

(8) PUBLIC RECREATIONAL USE.—An agency or water management district that acquired lands using Preservation 2000 funds distributed pursuant to former subsection (3) of this section, Florida Statutes 2014, shall manage such lands to make them available for public recreational use if the recreational use does not interfere with the protection of natural resource values. The agency or district may enter into an agreement with the department or another appropriate state agency to transfer management authority or lease to such agencies lands purchased with Preservation 2000 funds for the purpose of managing the lands to make them available for public recreational use. The water management districts and the department shall take action to control the growth of nonnative invasive plant species on lands they manage which were purchased with Preservation 2000 funds.

Section 24. Section 259.105, Florida Statutes, is amended to read:

259.105 The Florida Forever Act.—

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

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

1. Land acquisition programs have provided tremendous financial resources for purchasing environmentally significant lands to protect those lands from imminent development or

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alteration, thereby ensuring present and future generations' access to important waterways, open spaces, and recreation and conservation lands.

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

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

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

5. Florida's groundwater, surface waters, and springs are under tremendous pressure due to population growth and economic expansion and require special protection and restoration efforts, including the protection of uplands and springsheds that provide vital recharge to aquifer systems and are critical to the protection of water quality and water quantity of the aquifers and springs. To ensure that sufficient quantities of water are available to meet the current and future needs of the

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1944 natural systems and citizens of the state, and assist in
1945 achieving the planning goals of the department and the water
1946 management districts, water resource development projects on
1947 public lands, where compatible with the resource values of and
1948 management objectives for the lands, are appropriate.

1949 6. The needs of urban, suburban, and small communities in
1950 Florida for high-quality outdoor recreational opportunities,
1951 greenways, trails, and open space have not been fully met by
1952 previous acquisition programs. Through such programs as the
1953 Florida Communities Trust and the Florida Recreation Development
1954 Assistance Program, the state shall place additional emphasis on
1955 acquiring, protecting, preserving, and restoring open space,
1956 ecological greenways, and recreation properties within urban,
1957 suburban, and rural areas where pristine natural communities or
1958 water bodies no longer exist because of the proximity of
1959 developed property.

1960 7. Many of Florida's unique ecosystems, such as the Florida
1961 Everglades, are facing ecological collapse due to Florida's
1962 burgeoning population growth and other economic activities. To
1963 preserve these valuable ecosystems for future generations,
1964 essential parcels of land must be acquired to facilitate
1965 ecosystem restoration.

1966 8. Access to public lands to support a broad range of
1967 outdoor recreational opportunities and the development of
1968 necessary infrastructure, where compatible with the resource
1969 values of and management objectives for such lands, promotes an
1970 appreciation for Florida's natural assets and improves the
1971 quality of life.

1972 9. Acquisition of lands, in fee simple, less-than-fee

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1973 interest, or other techniques shall be based on a comprehensive
1974 science-based assessment of Florida's natural resources which
1975 targets essential conservation lands by prioritizing all current
1976 and future acquisitions based on a uniform set of data and
1977 planned so as to protect the integrity and function of
1978 ecological systems and working landscapes, and provide multiple
1979 benefits, including preservation of fish and wildlife habitat,
1980 recreation space for urban and rural areas, and the restoration
1981 of natural water storage, flow, and recharge.

1982 10. The state has embraced performance-based program
1983 budgeting as a tool to evaluate the achievements of publicly
1984 funded agencies, build in accountability, and reward those
1985 agencies which are able to consistently achieve quantifiable
1986 goals. While previous and existing state environmental programs
1987 have achieved varying degrees of success, few of these programs
1988 can be evaluated as to the extent of their achievements,
1989 primarily because performance measures, standards, outcomes, and
1990 goals were not established at the outset. Therefore, the Florida
1991 Forever program shall be developed and implemented in the
1992 context of measurable state goals and objectives.

1993 11. The state must play a major role in the recovery and
1994 management of its imperiled species through the acquisition,
1995 restoration, enhancement, and management of ecosystems that can
1996 support the major life functions of such species. It is the
1997 intent of the Legislature to support local, state, and federal
1998 programs that result in net benefit to imperiled species habitat
1999 by providing public and private land owners meaningful
2000 incentives for acquiring, restoring, managing, and repopulating
2001 habitats for imperiled species. It is the further intent of the

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

a. As part of the state's role, all state lands that have imperiled species habitat shall include as a consideration in management plan development the restoration, enhancement, management, and repopulation of such habitats. In addition, the lead land managing agency of such state lands may use fees received from public or private entities for projects to offset

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adverse impacts to imperiled species or their habitat in order to restore, enhance, manage, repopulate, or acquire land and to implement land management plans developed under s. 253.034 or a land management prospectus developed and implemented under this chapter. Such fees shall be deposited into a foundation or fund created by each land management agency under s. 379.223, s. 589.012, or s. 259.032(9)(c) ~~s. 259.032(11)(c)~~, to be used solely to restore, manage, enhance, repopulate, or acquire imperiled species habitat.

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

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

(b) The Legislature recognizes that acquisition of lands in fee simple is only one way to achieve the aforementioned goals and encourages the use of less-than-fee interests, other techniques, and the development of creative partnerships between governmental agencies and private landowners. Such partnerships may include those that advance the restoration, enhancement,

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management, or repopulation of imperiled species habitat on state lands as provided for in subparagraph (a)11. Easements acquired pursuant to s. 570.71(2)(a) and (b), land protection agreements, and nonstate funded tools such as rural land stewardship areas, sector planning, and mitigation should be used, where appropriate, to bring environmentally sensitive tracts under an acceptable level of protection at a lower financial cost to the public, and to provide private landowners with the opportunity to enjoy and benefit from their property.

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

(d) A long-term financial commitment to restoring, enhancing, and managing Florida's public lands in order to implement land management plans developed under s. 253.034 or a land management prospectus developed and implemented under this chapter must accompany any land acquisition program to ensure that the natural resource values of such lands are restored, enhanced, managed, and protected; that the public enjoys the lands to their fullest potential; and that the state achieves the full benefits of its investment of public dollars. Innovative strategies such as public-private partnerships and

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interagency planning and sharing of resources shall be used to achieve the state's management goals.

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

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

(g) As it has with previous land acquisition programs, the Legislature recognizes the desires of the residents of this state to prosper through economic development and to preserve, restore, and manage the state's natural areas and recreational open space. The Legislature further recognizes the urgency of restoring the natural functions, including wildlife and imperiled species habitat functions, of public lands or water bodies before they are degraded to a point where recovery may never occur, yet acknowledges the difficulty of ensuring adequate funding for restoration, enhancement, and management efforts in light of other equally critical financial needs of the state. It is the Legislature's desire and intent to fund the implementation of this section and to do so in a fiscally responsible manner, by issuing bonds to be repaid with

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documentary stamp tax or other revenue sources, including those identified in subparagraph (a)11.

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

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

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

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

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

(3) Less the costs of issuing and the costs of funding reserve accounts and other costs associated with bonds, the proceeds of cash payments or bonds issued pursuant to this

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section shall be deposited into the Florida Forever Trust Fund created by s. 259.1051. The proceeds shall be distributed by the Department of Environmental Protection in the following manner:

(a) Thirty percent to the Department of Environmental Protection for the acquisition of lands and capital project expenditures necessary to implement the water management districts' priority lists developed pursuant to s. 373.199. The funds are to be distributed to the water management districts as provided in subsection (11). A minimum of 50 percent of the total funds provided over the life of the Florida Forever program pursuant to this paragraph shall be used for the acquisition of lands.

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

(c) Twenty-one percent to the Department of Environmental Protection for use by the Florida Communities Trust for the purposes of part III of chapter 380, as described and limited by this subsection, and grants to local governments or nonprofit environmental organizations that are tax-exempt under s.

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2176 501(c)(3) of the United States Internal Revenue Code for the
2177 acquisition of community-based projects, urban open spaces,
2178 parks, and greenways to implement local government comprehensive
2179 plans. From funds available to the trust and used for land
2180 acquisition, 75 percent shall be matched by local governments on
2181 a dollar-for-dollar basis. The Legislature intends that the
2182 Florida Communities Trust emphasize funding projects in low-
2183 income or otherwise disadvantaged communities and projects that
2184 provide areas for direct water access and water-dependent
2185 facilities that are open to the public and offer public access
2186 by vessels to waters of the state, including boat ramps and
2187 associated parking and other support facilities. At least 30
2188 percent of the total allocation provided to the trust shall be
2189 used in Standard Metropolitan Statistical Areas, but one-half of
2190 that amount shall be used in localities in which the project
2191 site is located in built-up commercial, industrial, or mixed-use
2192 areas and functions to intersperse open spaces within congested
2193 urban core areas. From funds allocated to the trust, no less
2194 than 5 percent shall be used to acquire lands for recreational
2195 trail systems, provided that in the event these funds are not
2196 needed for such projects, they will be available for other trust
2197 projects. Local governments may use federal grants or loans,
2198 private donations, or environmental mitigation funds, including
2199 environmental mitigation funds required pursuant to s. 338.250,
2200 for any part or all of any local match required for acquisitions
2201 funded through the Florida Communities Trust. Any lands
2202 purchased by nonprofit organizations using funds allocated under
2203 this paragraph must provide for such lands to remain permanently
2204 in public use through a reversion of title to local or state

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government, conservation easement, or other appropriate mechanism. Projects funded with funds allocated to the trust shall be selected in a competitive process measured against criteria adopted in rule by the trust.

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

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

(f) One and five-tenths percent to the Florida Forest Service of the Department of Agriculture and Consumer Services to fund the acquisition of state forest inholdings and additions pursuant to s. 589.07, the implementation of reforestation plans or sustainable forestry management practices, and for capital project expenditures as described in this section. At a minimum, 1 percent, and no more than 10 percent, of the funds allocated for the acquisition of inholdings and additions pursuant to this paragraph shall be spent on capital project expenditures identified during the time of acquisition which meet land management planning activities necessary for public access.

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

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

(i) Three and five-tenths percent to the Department of Agriculture and Consumer Services for the acquisition of agricultural lands, through perpetual conservation easements and other perpetual less-than-fee techniques, which will achieve the objectives of Florida Forever and s. 570.71. Rules concerning the application, acquisition, and priority ranking process for such easements shall be developed pursuant to s. 570.71(10) and as provided by this paragraph. The board shall ensure that such

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rules are consistent with the acquisition process provided for in s. 259.041. Provisions of the rules developed pursuant to s. 570.71(10), shall also provide for the following:

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

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

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

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

(j) Two and five-tenths percent to the Department of Environmental Protection for the acquisition of land and capital project expenditures necessary to implement the Stan Mayfield Working Waterfronts Program within the Florida Communities Trust pursuant to s. 380.5105.

(k) It is the intent of the Legislature that cash payments or proceeds of Florida Forever bonds distributed under this section shall be expended in an efficient and fiscally responsible manner. An agency that receives proceeds from Florida Forever bonds under this section may not maintain a balance of unencumbered funds in its Florida Forever subaccount beyond 3 fiscal years from the date of deposit of funds from

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each bond issue. Any funds that have not been expended or encumbered after 3 fiscal years from the date of deposit shall be distributed by the Legislature at its next regular session for use in the Florida Forever program.

(1) For the purposes of paragraphs (e), (f), (g), and (h), the agencies that receive the funds shall develop their individual acquisition or restoration lists in accordance with specific criteria and numeric performance measures developed pursuant s. 259.035(4). Proposed additions may be acquired if they are identified within the original project boundary, the management plan required pursuant to s. 253.034(5), or the management prospectus required pursuant to s. 259.032(7)(d) ~~s. 259.032(9)(d)~~. Proposed additions not meeting the requirements of this paragraph shall be submitted to the Acquisition and Restoration Council for approval. The council may only approve the proposed addition if it meets two or more of the following criteria: serves as a link or corridor to other publicly owned property; enhances the protection or management of the property; would add a desirable resource to the property; would create a more manageable boundary configuration; has a high resource value that otherwise would be unprotected; or can be acquired at less than fair market value.

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

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

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

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

~~(4) Notwithstanding subsection (3) and for the 2014-2015 fiscal year only, the funds appropriated in section 56 of the 2014-2015 General Appropriations Act may be provided to water management districts for land acquisitions, including less than fee interest, identified by water management districts as being needed for water resource protection or ecosystem restoration. This subsection expires July 1, 2015.~~

~~(4)~~ (5) It is the intent of the Legislature that projects or acquisitions funded pursuant to paragraphs (3)(a) and (b) contribute to the achievement of the following goals, which shall be evaluated in accordance with specific criteria and numeric performance measures developed pursuant s. 259.035(4):

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

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

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2350 2. The number of acres protected through the use of
2351 alternatives to fee simple acquisition; or

2352 3. The number of shared acquisition projects among Florida
2353 Forever funding partners and partners with other funding
2354 sources, including local governments and the Federal Government.

2355 (b) Increase the protection of Florida's biodiversity at
2356 the species, natural community, and landscape levels, as
2357 measured by:

2358 1. The number of acres acquired of significant strategic
2359 habitat conservation areas;

2360 2. The number of acres acquired of highest priority
2361 conservation areas for Florida's rarest species;

2362 3. The number of acres acquired of significant landscapes,
2363 landscape linkages, and conservation corridors, giving priority
2364 to completing linkages;

2365 4. The number of acres acquired of underrepresented native
2366 ecosystems;

2367 5. The number of landscape-sized protection areas of at
2368 least 50,000 acres that exhibit a mosaic of predominantly intact
2369 or restorable natural communities established through new
2370 acquisition projects or augmentations to previous projects; or

2371 6. The percentage increase in the number of occurrences of
2372 imperiled species on publicly managed conservation areas.

2373 (c) Protect, restore, and maintain the quality and natural
2374 functions of land, water, and wetland systems of the state, as
2375 measured by:

2376 1. The number of acres of publicly owned land identified as
2377 needing restoration, enhancement, and management, acres
2378 undergoing restoration or enhancement, acres with restoration

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activities completed, and acres managed to maintain such restored or enhanced conditions; the number of acres which represent actual or potential imperiled species habitat; the number of acres which are available pursuant to a management plan to restore, enhance, repopulate, and manage imperiled species habitat; and the number of acres of imperiled species habitat managed, restored, enhanced, repopulated, or acquired;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3. The number of new resource-based recreation facilities,

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by type, made available on public land.

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

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

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

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

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

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

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

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

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

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

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

Florida Forever projects and acquisitions funded pursuant to

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paragraph (3)(c) shall be measured by goals developed by rule by the Florida Communities Trust Governing Board created in s. 380.504.

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

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

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

(6)~~(7)~~ As provided in this section, a water resource or water supply development project may be allowed only if the following conditions are met: minimum flows and levels have been established for those waters, if any, which may reasonably be expected to experience significant harm to water resources as a result of the project; the project complies with all applicable permitting requirements; and the project is consistent with the regional water supply plan, if any, of the water management district and with relevant recovery or prevention strategies if required pursuant to s. 373.0421(2).

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2495 (7)~~(8)~~ (a) Beginning no later than July 1, 2001, and every
2496 year thereafter, the Acquisition and Restoration Council shall
2497 accept applications from state agencies, local governments,
2498 nonprofit and for-profit organizations, private land trusts, and
2499 individuals for project proposals eligible for funding pursuant
2500 to paragraph (3) (b). The council shall evaluate the proposals
2501 received pursuant to this subsection to ensure that they meet at
2502 least one of the criteria under subsection (8) ~~(9)~~.

2503 (b) Project applications shall contain, at a minimum, the
2504 following:

2505 1. A minimum of two numeric performance measures that
2506 directly relate to the overall goals adopted by the council.
2507 Each performance measure shall include a baseline measurement,
2508 which is the current situation; a performance standard which the
2509 project sponsor anticipates the project will achieve; and the
2510 performance measurement itself, which should reflect the
2511 incremental improvements the project accomplishes towards
2512 achieving the performance standard.

2513 2. Proof that property owners within any proposed
2514 acquisition have been notified of their inclusion in the
2515 proposed project. Any property owner may request the removal of
2516 such property from further consideration by submitting a request
2517 to the project sponsor or the Acquisition and Restoration
2518 Council by certified mail. Upon receiving this request, the
2519 council shall delete the property from the proposed project;
2520 however, the board of trustees, at the time it votes to approve
2521 the proposed project lists pursuant to subsection (15) ~~(16)~~, may
2522 add the property back on to the project lists if it determines
2523 by a super majority of its members that such property is

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critical to achieve the purposes of the project.

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

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

(9)~~(10)~~ The Acquisition and Restoration Council shall recommend rules for adoption by the board of trustees to competitively evaluate, select, and rank projects eligible for Florida Forever funds pursuant to paragraph (3)(b) ~~and for additions to the Conservation and Recreation Lands list pursuant to ss. 259.032 and 259.101(4)~~. In developing these proposed rules, the Acquisition and Restoration Council shall give weight to the following criteria:

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

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

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

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

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

(f) The project contributes to the solution of water

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resource problems on a regional basis.

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

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

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

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

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

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

(10) ~~(11)~~ The Acquisition and Restoration Council shall give increased priority to those projects for which matching funds are available and to project elements previously identified on an acquisition list pursuant to this section that can be acquired at 80 percent or less of appraised value. The council shall also give increased priority to those projects where the state's land conservation plans overlap with the military's need

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to protect lands, water, and habitat to ensure the sustainability of military missions including:

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

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

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

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

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

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

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

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

(e) Seven and one-half percent to the Northwest Florida

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Water Management District.

(12)~~(13)~~ It is the intent of the Legislature that in developing the list of projects for funding pursuant to paragraph (3)(a), that these funds not be used to abrogate the financial responsibility of those point and nonpoint sources that have contributed to the degradation of water or land areas. Therefore, an increased priority shall be given by the water management district governing boards to those projects that have secured a cost-sharing agreement allocating responsibility for the cleanup of point and nonpoint sources.

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

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

(15)~~(16)~~ The Acquisition and Restoration Council shall submit to the board of trustees, with its list of projects, a report that includes, but shall not be limited to, the following

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information for each project listed:

(a) The stated purpose for inclusion.

(b) Projected costs to achieve the project goals.

(c) An interim management budget that includes all costs associated with immediate public access.

(d) Specific performance measures.

(e) Plans for public access.

(f) An identification of the essential parcel or parcels within the project without which the project cannot be properly managed.

(g) Where applicable, an identification of those projects or parcels within projects which should be acquired in fee simple or in less than fee simple.

(h) An identification of those lands being purchased for conservation purposes.

(i) A management policy statement for the project and a management prospectus pursuant to s. 259.032(7)(d) ~~s. 259.032(9)(d)~~.

(j) An estimate of land value based on county tax assessed values.

(k) A map delineating project boundaries.

(l) An assessment of the project's ecological value, outdoor recreational value, forest resources, wildlife resources, ownership pattern, utilization, and location.

(m) A discussion of whether alternative uses are proposed for the property and what those uses are.

(n) A designation of the management agency or agencies.

(16) ~~(17)~~ All proposals for projects pursuant to paragraph (3)(b) shall be implemented only if adopted by the Acquisition

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and Restoration Council and approved by the board of trustees.
The council shall consider and evaluate in writing the merits
and demerits of each project that is proposed for Florida
Forever funding ~~and each proposed addition to the Conservation
and Recreation Lands list program~~. The council shall ensure that
each proposed project will meet a stated public purpose for the
restoration, conservation, or preservation of environmentally
sensitive lands and water areas or for providing outdoor
recreational opportunities ~~and that each proposed addition to
the Conservation and Recreation Lands list will meet the public
purposes under s. 259.032(3) and, when applicable, s.
259.101(4)~~. The council also shall determine whether the project
or addition conforms, where applicable, with the comprehensive
plan developed pursuant to s. 259.04(1)(a), the comprehensive
multipurpose outdoor recreation plan developed pursuant to s.
375.021, the state lands management plan adopted pursuant to s.
253.03(7), the water resources work plans developed pursuant to
s. 373.199, and the provisions of this section.

(17) ~~(18)~~ On an annual basis, the Division of State Lands
shall prepare an annual work plan that prioritizes projects on
the Florida Forever list and sets forth the funding available in
the fiscal year for land acquisition. The work plan shall
consider the following categories of expenditure for land
conservation projects already selected for the Florida Forever
list pursuant to subsection (7) ~~(8)~~:

(a) A critical natural lands category, including functional
landscape-scale natural systems, intact large hydrological
systems, lands that have significant imperiled natural
communities, and corridors linking large landscapes, as

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identified and developed by the best available scientific analysis.

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

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

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

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

(d) A climate-change category list of lands where acquisition or other conservation measures will address the challenges of global climate change, such as through protection, restoration, mitigation, and strengthening of Florida's land, water, and coastal resources. This category includes lands that provide opportunities to sequester carbon, provide habitat, protect coastal lands or barrier islands, and otherwise mitigate and help adapt to the effects of sea-level rise and meet other objectives of the program.

(e) A less-than-fee category for working agricultural lands that significantly contribute to resource protection through

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conservation easements and other less-than-fee techniques, tax incentives, life estates, landowner agreements, and other partnerships, including conservation easements acquired in partnership with federal conservation programs, which will achieve the objectives of Florida Forever while allowing the continuation of compatible agricultural uses on the land. Terms of easements proposed for acquisition under this category shall be developed by the Division of State Lands in coordination with the Department of Agriculture and Consumer Services.

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

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

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

(c) Notwithstanding the provisions of paragraph (a), no

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such lease, easement, or license shall be entered into by the Department of Environmental Protection or other appropriate state agency if the granting of such lease, easement, or license would adversely affect the exclusion of the interest on any revenue bonds issued to fund the acquisition of the affected lands from gross income for federal income tax purposes, pursuant to Internal Revenue Service regulations.

(19)~~(20)~~ The Acquisition and Restoration Council shall recommend adoption of rules by the board of trustees necessary to implement the provisions of this section relating to: solicitation, scoring, selecting, and ranking of Florida Forever project proposals; disposing of or leasing lands or water areas selected for funding through the Florida Forever program; and the process of reviewing and recommending for approval or rejection the land management plans associated with publicly owned properties. Rules promulgated pursuant to this subsection shall be submitted to the President of the Senate and the Speaker of the House of Representatives, for review by the Legislature, no later than 30 days prior to the 2010 Regular Session and shall become effective only after legislative review. In its review, the Legislature may reject, modify, or take no action relative to such rules. The board of trustees shall conform such rules to changes made by the Legislature, or, if no action was taken by the Legislature, such rules shall become effective.

(20)~~(21)~~ Lands listed as projects for acquisition under the Florida Forever program may be managed for conservation pursuant to s. 259.032, on an interim basis by a private party in anticipation of a state purchase in accordance with a

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contractual arrangement between the acquiring agency and the private party that may include management service contracts, leases, cost-share arrangements, or resource conservation agreements. Lands designated as eligible under this subsection shall be managed to maintain or enhance the resources the state is seeking to protect by acquiring the land and to accelerate public access to the lands as soon as practicable. Funding for these contractual arrangements may originate from the documentary stamp tax revenue deposited into the Land Acquisition Conservation and Recreation Lands Trust Fund and Water Management Lands Trust Fund. No more than \$6.2 million may be expended from the Land Acquisition Trust Fund ~~5 percent of funds allocated under the trust funds shall be expended~~ for this purpose.

Section 25. Subsections (1) and (3) of section 259.1051, Florida Statutes, are amended to read:

259.1051 Florida Forever Trust Fund.—

(1) There is created the Florida Forever Trust Fund to carry out the purposes of ss. 259.032, 259.105, 259.1052, and 375.031. The Florida Forever Trust Fund shall be held and administered by the Department of Environmental Protection. Proceeds from the sale of bonds, except proceeds of refunding bonds, issued under s. 215.618 and payable from moneys transferred to the Land Acquisition Trust Fund under s. 201.15(1) ~~s. 201.15(1)(a)~~, not to exceed \$5.3 billion, must be deposited into this trust fund to be distributed and used as provided in s. 259.105(3). The bond resolution adopted by the governing board of the Division of Bond Finance of the State Board of Administration may provide for additional provisions

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that govern the disbursement of the bond proceeds.

(3) The Department of Environmental Protection shall ensure that the proceeds from the sale of bonds issued under s. 215.618 and payable from moneys transferred to the Land Acquisition Trust Fund under s. 201.15(1) ~~s. 201.15(1)(a)~~ shall be administered and expended in a manner that ensures compliance of each issue of bonds that are issued on the basis that interest thereon will be excluded from gross income for federal income tax purposes, with the applicable provisions of the United States Internal Revenue Code and the regulations promulgated thereunder, to the extent necessary to preserve the exclusion of interest on the bonds from gross income for federal income tax purposes. The Department of Environmental Protection shall administer the use and disbursement of the proceeds of such bonds or require that the use and disbursement thereof be administered in a manner to implement strategies to maximize any available benefits under the applicable provisions of the United States Internal Revenue Code or regulations promulgated thereunder, to the extent not inconsistent with the purposes identified in s. 259.105(3).

Section 26. Paragraph (a) of subsection (2) of section 338.250, Florida Statutes, is amended to read:

338.250 Central Florida Beltway Mitigation.—

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

(a) For those projects which the Department of Transportation is authorized to construct, funds for environmental mitigation shall be deposited in the Central

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Florida Beltway Trust Fund created within the department at the time bonds for the specific project are sold. If a road building authority other than the department is authorized to construct the project, funds for environmental mitigation shall be deposited in a mitigation fund account established in the construction fund for the bond issues. Said account shall be established at the time bond proceeds are deposited into the construction fund for the specific project. These funds shall be provided from bond proceeds, and the use of such funds from bond proceeds for mitigation shall be deemed a public purpose. The amount to be provided for mitigation for the Eastern Beltway in Seminole County shall be up to \$4 million, the amount to be provided for mitigation for the Western Beltway shall be up to \$30.5 million, the amount to be provided for mitigation for the Southern Connector shall be up to \$14.28 million, the amount to be provided for mitigation for the Turnpike/Southern Connector Interchange shall be up to \$1.46 million, and the amount to be provided for mitigation for the Southern Connector Extension shall be in proportion to the amount provided for the Southern Connector based upon the amount of wetlands displaced. To the extent allowed by law, the interest on said funds as earned, after deposit into the Central Florida Beltway Trust Fund, or in a mitigation fund account shall accrue and be paid to the agency responsible for the construction of the appropriate project. Where feasible, mitigation funds shall be used in coordination with funds from ~~the Conservation and Recreation Lands Trust Fund, Save Our Rivers Land Acquisition Program, or from other~~ appropriate sources.

Section 27. Paragraph (c) of subsection (8) of section

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373.026, Florida Statutes, is repealed.

Section 28. Subsection (4) of section 373.089, Florida Statutes, is amended to read:

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

(4) The governing board of a district may exchange lands, or interests or rights in lands, owned by, or lands, or interests or rights in lands, for which title is otherwise vested in, the district for other lands, or interests or rights in lands, within the state owned by any person. The governing board shall fix the terms and conditions of any such exchange and may pay or receive any sum of money that the board considers necessary to equalize the values of exchanged properties. Land, or interests or rights in land, acquired under former s. 373.59, Florida Statutes 2014, may be exchanged only for lands, or interests or rights in lands, that otherwise meet the requirements of that section for acquisition.

Section 29. Paragraph (a) of subsection (5) of section 373.129, Florida Statutes, is amended to read:

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

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

(a) A civil penalty recovered by a water management district pursuant to this subsection shall be deposited in the Water Quality Assurance ~~Management Lands~~ Trust Fund established under s. 376.307 ~~s. 373.59~~ and used exclusively by the water management district that deposits the money into the fund. A civil penalty recovered by the department pursuant to this subsection shall be deposited into the Water Quality Assurance Trust Fund established under s. 376.307 ~~Any such civil penalty recovered after the expiration of such fund shall be deposited in the Ecosystem Management and Restoration Trust Fund and used exclusively within the water management district that deposits the money into the fund.~~

Section 30. Subsection (5) of section 373.1391, Florida Statutes, is amended to read:

373.1391 Management of real property.—

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

(a) Not inconsistent with the management plan for such lands;

(b) Compatible with the natural ecosystem and resource

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values of such lands;

(c) The proposed use is appropriately located on such lands and where due consideration is given to the use of other available lands;

(d) The using entity reasonably compensates the titleholder for such use based upon an appropriate measure of value; and

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

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

Section 31. Subsection (7) of section 373.199, Florida Statutes, is amended to read:

373.199 Florida Forever Water Management District Work Plan.—

(7) By June 1, 2001, each district shall file with the President of the Senate, the Speaker of the House of Representatives, and the Secretary of Environmental Protection the initial 5-year work plan as required under subsection (2). By March 1 of each year thereafter, as part of the consolidated annual report required by s. 373.036(7), each district shall report on acquisitions completed during the year together with modifications or additions to its 5-year work plan. Included in the report shall be:

(a) A description of land management activity for each property or project area owned by the water management district.

(b) A list of any lands surplus and the amount of

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compensation received.

(c) The progress of funding, staffing, and resource management of every project funded pursuant to former s. 259.101(3), Florida Statutes 2014 ~~s. 259.101~~, s. 259.105, or former s. 373.59(2), Florida Statutes 2014, ~~s. 373.59~~ for which the district is responsible.

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

Section 32. Subsection (7) of section 373.430, Florida Statutes, is amended to read:

373.430 Prohibitions, violation, penalty, intent.—

(7) All moneys recovered under the provisions of this section shall be allocated to the use of the water management district, the department, or the local government, whichever undertook and maintained the enforcement action. All monetary penalties and damages recovered by the department or the state under the provisions of this section shall be deposited into ~~in~~ the Florida Permit Fee ~~Ecosystem Management and Restoration~~ Trust Fund. All monetary penalties and damages recovered pursuant to this section by a water management district shall be deposited into ~~in~~ the Florida Permit Fee ~~Water Management Lands~~ Trust Fund established under s. 403.0871 ~~s. 373.59~~ and used exclusively within the territory of the water management district which deposits the money into the fund. ~~Any such monetary penalties and damages recovered after the expiration of such fund shall be deposited in the Ecosystem Management and~~

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~~Restoration Trust Fund and used exclusively within the territory of the water management district which deposits the money into the fund.~~ All monetary penalties and damages recovered pursuant to this subsection by a local government to which authority has been delegated pursuant to s. 373.103(8) shall be used to enhance surface water improvement or pollution control activities.

Section 33. Subsections (3) through (6) of section 373.459, Florida Statutes, are amended to read:

373.459 Funds for surface water improvement and management.—

(3) ~~The Ecosystem Management and Restoration Trust Fund shall be used for the deposit of funds appropriated by the Legislature for the purposes of ss. 373.451-373.4595.~~ The department shall administer all funds appropriated to or received for surface water improvement and management activities. Expenditure of the moneys shall be limited to the costs of detailed planning and plan and program implementation for priority surface water bodies. Moneys may ~~from the fund~~ shall not be expended for planning for, or construction or expansion of, treatment facilities for domestic or industrial waste disposal.

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

~~(5) Moneys in the fund which are not needed to meet current obligations incurred under this section shall be transferred to the State Board of Administration, to the credit of the trust fund, to be invested in the manner provided by law. Interest~~

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~~received on such investments shall be credited to the trust fund.~~

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

Section 34. Paragraph (a) of subsection (3) of section 373.4592, Florida Statutes, is amended to read:

373.4592 Everglades improvement and management.—

(3) EVERGLADES LONG-TERM PLAN.—

(a) The Legislature finds that the Everglades Program required by this section establishes more extensive and comprehensive requirements for surface water improvement and management within the Everglades than the SWIM plan requirements provided in ss. 373.451 and 373.453. In order to avoid duplicative requirements, and in order to conserve the resources available to the district, the SWIM plan requirements of those sections shall not apply to the Everglades Protection Area and the EAA during the term of the Everglades Program, and the district will neither propose, nor take final agency action on, any Everglades SWIM plan for those areas until the Everglades Program is fully implemented. Funds identified under former s. 259.101(3)(b), Florida Statutes 2014, may be used for acquisition of lands necessary to implement the Everglades Construction Project, to the extent these funds are identified in the Statement of Principles of July 1993. The district's actions in implementing the Everglades Construction Project relating to the responsibilities of the EAA and C-139 Basin for

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3046 funding and water quality compliance in the EAA and the
3047 Everglades Protection Area shall be governed by this section.
3048 Other strategies or activities in the March 1992 Everglades SWIM
3049 plan may be implemented if otherwise authorized by law.

3050 Section 35. Subsection (4) of section 373.45926, Florida
3051 Statutes, is amended to read:

3052 373.45926 Everglades Trust Fund; allocation of revenues and
3053 expenditure of funds for conservation and protection of natural
3054 resources and abatement of water pollution.—

3055 (4) The following funds shall be deposited into the
3056 Everglades Trust Fund specifically for the implementation of the
3057 Everglades Forever Act.

3058 (a) Alligator Alley toll revenues pursuant to s. 338.26(3).

3059 (b) Everglades agricultural privilege tax revenues pursuant
3060 to s. 373.4592(6).

3061 (c) C-139 agricultural privilege tax revenues pursuant to
3062 s. 373.4592(7).

3063 (d) Special assessment revenues pursuant to s. 373.4592(8).

3064 (e) Ad valorem revenues pursuant to s. 373.4592(4)(a).

3065 (f) Federal funds appropriated by the United States
3066 Congress for any component of the Everglades Construction
3067 Project.

3068 ~~(g) Preservation 2000 funds for acquisition of lands~~
3069 ~~necessary for implementation of the Everglades Forever Act as~~
3070 ~~prescribed in an annual appropriation.~~

3071 (g)(h) Any additional funds specifically appropriated by
3072 the Legislature for this purpose.

3073 (h)(i) Gifts designated for implementation of the
3074 Everglades Forever Act from individuals, corporations, and other

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entities.

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

Section 36. Paragraph (a) of subsection (6) and paragraph (b) of subsection (7) of section 373.470, Florida Statutes, are amended to read:

373.470 Everglades restoration.—

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

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

(7) ANNUAL REPORT.—To provide enhanced oversight of and accountability for the financial commitments established under this section and the progress made in the implementation of the comprehensive plan, the following information must be prepared annually as part of the consolidated annual report required by s. 373.036(7):

(b) The department shall prepare a detailed report on all funds expended by the state and credited toward the state's

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share of funding for implementation of the comprehensive plan.

The report shall include:

1. A description of all expenditures, by source and amount, from ~~the Conservation and Recreation Lands Trust Fund,~~ the Land Acquisition Trust Fund, ~~the Preservation 2000 Trust Fund,~~ the Florida Forever Trust Fund, the Save Our Everglades Trust Fund, and other named funds or accounts for the acquisition or construction of project components or other features or facilities that benefit the comprehensive plan.

2. A description of the purposes for which the funds were expended.

3. The unencumbered fiscal-year-end balance that remains in each trust fund or account identified in subparagraph 1.

The information required in paragraphs (a), (b), and (c) shall be provided as part of the consolidated annual report required by s. 373.036(7). The initial report is due by November 30, 2000, and each annual report thereafter is due by March 1.

Section 37. Subsection (2) of section 373.584, Florida Statutes, is amended to read:

373.584 Revenue bonds.—

(2) Revenues derived by the district ~~from the Water Management Lands Trust Fund as provided in s. 373.59 or any other revenues of the district~~ may be pledged to the payment of ~~such~~ revenue bonds; however, the ad valorem taxing powers of the district may not be pledged to the payment of such revenue bonds without prior compliance with the requirements of the State Constitution as to the affirmative vote of the electors of the district and with the requirements of s. 373.563, ~~and bonds~~

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~~payable from the Water Management Lands Trust Fund shall be issued solely for the purposes set forth in s. 373.59. Revenue bonds and notes shall be, and shall be deemed to be, for all purposes, negotiable instruments, subject only to the provisions of the revenue bonds and notes for registration. The powers and authority of districts to issue revenue bonds, including, but not limited to, bonds to finance a stormwater management system as defined by s. 373.403, and to enter into contracts incidental thereto, and to do all things necessary and desirable in connection with the issuance of revenue bonds, shall be coextensive with the powers and authority of municipalities to issue bonds under state law. The provisions of this section constitute full and complete authority for the issuance of revenue bonds and shall be liberally construed to effectuate its purpose.~~

Section 38. Section 373.59, Florida Statutes, is amended to read:

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

~~(1) There is established within the Department of Environmental Protection the Water Management Lands Trust Fund to be used as a nonlapsing fund for the purposes of this section. The moneys in this fund are hereby continually appropriated for the purposes of land acquisition, management, maintenance, capital improvements of land titled to the districts, payments in lieu of taxes, debt service on bonds issued prior to July 1, 1999, debt service on bonds issued on or after July 1, 1999, which are issued to refund bonds issued~~

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3162 ~~before July 1, 1999, preacquisition costs associated with land~~
3163 ~~purchases, and the department's costs of administration of the~~
3164 ~~fund. No refunding bonds may be issued which mature after the~~
3165 ~~final maturity date of the bonds being refunded or which provide~~
3166 ~~for higher debt service in any year than is payable on such~~
3167 ~~bonds as of February 1, 2009. The department's costs of~~
3168 ~~administration shall be charged proportionally against each~~
3169 ~~district's allocation using the formula provided in subsection~~
3170 ~~(8). Capital improvements shall include, but need not be limited~~
3171 ~~to, perimeter fencing, signs, firelanes, control of invasive~~
3172 ~~exotic species, controlled burning, habitat inventory and~~
3173 ~~restoration, law enforcement, access roads and trails, and~~
3174 ~~minimal public accommodations, such as primitive campsites,~~
3175 ~~garbage receptacles, and toilets. The moneys in the fund may~~
3176 ~~also be appropriated to supplement operational expenditures at~~
3177 ~~the Northwest Florida Water Management District and the Suwannee~~
3178 ~~River Water Management District, with such appropriations~~
3179 ~~allocated prior to the allocations set out in subsection (8) to~~
3180 ~~the five water management districts.~~

3181 ~~(2) Until the Preservation 2000 Program is concluded, each~~
3182 ~~district shall file with the Legislature and the Secretary of~~
3183 ~~Environmental Protection a report of acquisition activity, by~~
3184 ~~January 15 of each year, together with modifications or~~
3185 ~~additions to its 5-year plan of acquisition. Included in the~~
3186 ~~report shall be an identification of those lands which require a~~
3187 ~~full fee simple interest to achieve water management goals and~~
3188 ~~those lands which can be acquired using alternatives to fee~~
3189 ~~simple acquisition techniques and still achieve such goals. In~~
3190 ~~their evaluation of which lands would be appropriate for~~

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~~acquisition through alternatives to fee simple, district staff shall consider criteria including, but not limited to, acquisition costs, the net present value of future land management costs, the net present value of ad valorem revenue loss to the local government, and the potential for revenue generated from activities compatible with acquisition objectives. The report shall also include a description of land management activity. However, no acquisition of lands shall occur without a public hearing similar to those held pursuant to the provisions set forth in s. 120.54. In the annual update of its 5-year plan for acquisition, each district shall identify lands needed to protect or recharge groundwater and shall establish a plan for their acquisition as necessary to protect potable water supplies. Lands which serve to protect or recharge groundwater identified pursuant to this paragraph shall also serve to protect other valuable natural resources or provide space for natural resource based recreation. Once all Preservation 2000 funds allocated to the water management districts have been expended or committed, this subsection shall be repealed.~~

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

~~(4) The Secretary of Environmental Protection shall release moneys from the Water Management Lands Trust Fund to a district for preacquisition costs within 30 days after receipt of a resolution adopted by the district's governing board which~~

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~~identifies and justifies any such preacquisition costs necessary for the purchase of any lands listed in the district's 5-year plan. The district shall return to the department any funds not used for the purposes stated in the resolution, and the department shall deposit the unused funds into the Water Management Lands Trust Fund.~~

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

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

~~(7) Any unused portion of a district's share of the fund shall accumulate in the trust fund to the credit of that district. Interest earned on such portion shall also accumulate to the credit of that district to be used for management, maintenance, and capital improvements as provided in this~~

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3249 ~~section. The total moneys over the life of the fund available to~~
3250 ~~any district under this section shall not be reduced except by~~
3251 ~~resolution of the district governing board stating that the need~~
3252 ~~for the moneys no longer exists. Any water management district~~
3253 ~~with fund balances in the Water Management Lands Trust Fund as~~
3254 ~~of March 1, 1999, may expend those funds for land acquisitions~~
3255 ~~pursuant to s. 373.139, or for the purpose specified in this~~
3256 ~~subsection.~~

3257 ~~(8) Moneys from the Water Management Lands Trust Fund shall~~
3258 ~~be allocated as follows:~~

3259 ~~(a) Beginning with the 2009-2010 fiscal year, thirty~~
3260 ~~percent shall be used first to pay debt service on bonds issued~~
3261 ~~before February 1, 2009, by the South Florida Water Management~~
3262 ~~District which are secured by revenues provided by this section~~
3263 ~~or to fund debt service reserve funds, rebate obligations, or~~
3264 ~~other amounts payable with respect to such bonds, then to~~
3265 ~~transfer \$3,000,000 to the credit of the General Revenue Fund in~~
3266 ~~each fiscal year, and lastly to distribute the remainder to the~~
3267 ~~South Florida Water Management District.~~

3268 ~~(b) Beginning with the 2009-2010 fiscal year, twenty-five~~
3269 ~~percent shall be used first to transfer \$2,500,000 to the credit~~
3270 ~~of the General Revenue Fund in each fiscal year and then to~~
3271 ~~distribute the remainder to the Southwest Florida Water~~
3272 ~~Management District.~~

3273 ~~(c) Beginning with the 2009-2010 fiscal year, twenty-five~~
3274 ~~percent shall be used first to pay debt service on bonds issued~~
3275 ~~before February 1, 2009, by the St. Johns River Water Management~~
3276 ~~District which are secured by revenues provided by this section~~
3277 ~~or to fund debt service reserve funds, rebate obligations, or~~

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~~other amounts payable with respect to such bonds, then to transfer \$2,500,000 to the credit of the General Revenue Fund in each fiscal year, and to distribute the remainder to the St. Johns River Water Management District.~~

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

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

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

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

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

(a) 1. To all counties that have a population of 150,000 or fewer. Population levels shall be determined pursuant to s. 186.901. The population estimates published April 1 and used in the revenue-sharing formula pursuant to s. 186.901 shall be used to determine eligibility under this subsection and shall apply

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to payments made for the subsequent fiscal year.

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

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

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

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

(5)~~(e)~~ If property that was subject to ad valorem taxation

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

(6)~~(f)~~ Payment in lieu of taxes pursuant to this subsection shall be made annually to qualifying counties and local governments after certification by the Department of Revenue that the amounts applied for are reasonably appropriate, based on the amount of actual ad valorem taxes paid on the eligible property, and after the water management districts have provided supporting documents to the Chief Financial Officer and have requested that payment be made in accordance with the requirements of this section. With the assistance of the local government requesting payment in lieu of taxes, the water management district that acquired the land is responsible for preparing and submitting application requests for payment to the Department of Revenue for certification.

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

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~~(11) Notwithstanding any provision of this section to the contrary, the governing board of a water management district may request, and the Secretary of Environmental Protection shall release upon such request, moneys allocated to the districts pursuant to subsection (8) for purposes consistent with the provisions of s. 373.709, s. 373.705, s. 373.139, or ss. 373.451-373.4595 and for legislatively authorized land acquisition and water restoration initiatives. No funds may be used pursuant to this subsection until necessary debt service obligations, requirements for payments in lieu of taxes, and land management obligations that may be required by this chapter are provided for.~~

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

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

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

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

~~(d) Any remaining funds to be provided in accordance with~~

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~~the General Appropriations Act.~~

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

Section 39. Section 373.5905, Florida Statutes, is amended to read:

373.5905 Reinstatement of payments in lieu of taxes; duration.—If a water management district has made a payment in lieu of taxes to a governmental entity and subsequently suspended such payment, beginning July 1, 2009, the water management district shall reinstate appropriate payments and continue the payments for as long as the county population remains below the population threshold pursuant to s. 373.59(2)(a) ~~s. 373.59(10)(b)~~. This section does not authorize or provide for payments in arrears.

Section 40. Subsection (8) of section 373.703, Florida Statutes, is amended to read:

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

(8) In addition to the power to issue revenue bonds pursuant to s. 373.584, may issue revenue bonds for the purposes of paying the costs and expenses incurred in carrying out the purposes of this chapter or refunding obligations of the district issued pursuant to this section. Such revenue bonds shall be secured by, and be payable from, revenues derived from the operation, lease, or use of its water production and transmission facilities and other water-related facilities and from the sale of water or services relating thereto. Such

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revenue bonds may not be secured by, or be payable from, ~~moneys~~
~~derived by the district from the Water Management Lands Trust~~
~~Fund or from~~ ad valorem taxes received by the district or from
moneys appropriated by the Legislature, unless otherwise
specifically authorized by law. All provisions of s. 373.584
relating to the issuance of revenue bonds which are not
inconsistent with this section shall apply to the issuance of
revenue bonds pursuant to this section. The district may also
issue bond anticipation notes in accordance with the provisions
of s. 373.584.

Section 41. Subsection (8) of section 375.031, Florida
Statutes, is amended to read:

375.031 Acquisition of land; procedures.—

(8) The department may, if it deems it desirable and in the
best interest of the program, request the board of trustees to
sell or otherwise dispose of any lands or water storage areas
acquired under this act. The board of trustees, when so
requested, shall offer the lands or water storage areas, on such
terms as the department may determine, first to other state
agencies and then, if still available, to the county or
municipality in which the lands or water storage areas lie. If
not acquired by another state agency or local governmental body
for beneficial public purposes, the lands or water storage areas
shall then be offered by the board of trustees at public sale,
after first giving notice of such sale by publication in a
newspaper published in the county or counties in which such
lands or water storage areas lie not less than once a week for 3
consecutive weeks. All proceeds from the sale or disposition of
any lands or water storage areas pursuant to this section shall

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be deposited into the appropriate trust fund pursuant to s.
253.034(6) (k), (l), or (m) in the Land Acquisition Trust Fund.

Section 42. Section 375.041, Florida Statutes, is amended
to read:

375.041 Land Acquisition Trust Fund.—

(1) There is created a Land Acquisition Trust Fund within
the Department of Environmental Protection. The Land Acquisition
Trust Fund is designated by s. 28, Art. X of the State
Constitution for receipt of certain documentary stamp tax
revenue for the uses prescribed therein ~~to facilitate and~~
~~expedite the acquisition of land, water areas, and related~~
~~resources required to accomplish the purposes of this act.~~ The
Land Acquisition Trust Fund shall be held and administered by
the department. All moneys and revenue from the ~~operation,~~
~~management,~~ sale, lease, or other disposition of land, water
areas, or related resources acquired on or after July 1, 2015,
under the Florida Forever Program, ~~and the facilities thereon~~
~~acquired or constructed under this act~~ shall be deposited into
~~in~~ or credited to the Land Acquisition Trust Fund or, if
required by bond covenants, into the trust fund from which the
lands were purchased. ~~Moneys accruing to any agency for the~~
~~purposes enumerated in this act may be deposited in this fund.~~
~~There shall also be deposited into the Land Acquisition Trust~~
~~Fund other moneys as authorized by appropriate act of the~~
~~Legislature.~~ All moneys so deposited into the Land Acquisition
Trust Fund shall be trust funds for the uses and purposes herein
set forth, within the meaning of s. 215.32(1) (b); and such
moneys shall not become or be commingled with the General
Revenue Fund of the state, as defined by s. 215.32(1) (a).

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(2) Funds distributed into ~~The moneys on deposit in the~~
Land Acquisition Trust Fund pursuant to s. 201.15(1) shall be
~~first~~ applied first to:

(a) Pay debt service or to fund debt service reserve funds,
rebate obligations, or other amounts payable with respect to
Florida Forever bonds issued under s. 215.63; pay into the State
Treasury to the credit of the Save Our Everglades Trust Fund
amounts necessary to pay debt service, provide reserves, and pay
rebate obligations and other amounts due with respect to bonds
issued under s. 215.619; and pay debt service or funding of debt
service reserve funds, rebate obligations, or other amounts
payable with respect to the bonds issued under s. 373.584;

(b) Pay debt service on bonds issued before February 1,
2009, by the South Florida Water Management District and the St.
Johns River Water Management District which are secured by
revenues provided pursuant to former s. 373.59, Florida Statutes
2014, or to fund debt service reserve funds, rebate obligations,
or other amounts payable with respect to such bonds. This
paragraph expires August 1, 2016; and

(c) Distribute \$32 million to the South Florida Water
Management District for the Long-Term Plan as defined in s.
373.4592(2). This paragraph expires July 1, 2024 ~~pay the rentals~~
~~due under lease purchase agreements or to meet debt service~~
~~requirements of revenue bonds issued pursuant to s. 375.051;~~
~~provided, however, that debt service on Save Our Coast bonds~~
~~shall not be paid from moneys transferred to the Land~~
~~Acquisition Trust Fund pursuant to s. 259.032(2)(b).~~

~~(3)(a)~~ Any remaining moneys in the Land Acquisition Trust
Fund which are not distributed ~~pledged for rentals or debt~~

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3510 ~~service~~ as provided in subsection (2) may be expended from time
3511 to time for the purposes set forth in s. 28, Art. X of the State
3512 Constitution to acquire land, water areas, and related resources
3513 ~~and to construct, improve, enlarge, extend, operate, and~~
3514 ~~maintain capital improvements and facilities in accordance with~~
3515 ~~the plan.~~ Moneys accruing to other agencies for the purposes
3516 designated in subsection (1) shall be transferred pursuant to
3517 nonoperating budget authority under s. 216.181(12). Agencies
3518 shall maintain the integrity of such transferred moneys. Any
3519 transferred moneys available from reversions or reductions of
3520 budget authority in the other agencies shall be transferred back
3521 to the Land Acquisition Trust Fund in the Department of
3522 Environmental Protection within 15 days after such reversion or
3523 reduction and must be available for future appropriation
3524 pursuant to s. 28, Art. X of the State Constitution.

3525 ~~(b) In addition to the uses allowed under paragraph (a),~~
3526 ~~for the 2014-2015 fiscal year, moneys in the Land Acquisition~~
3527 ~~Trust Fund may be transferred to support the Total Maximum Daily~~
3528 ~~Loads Program as provided in the General Appropriations Act.~~
3529 ~~This paragraph expires July 1, 2015.~~

3530 ~~(c) For the 2014-2015 fiscal year only, moneys in the Land~~
3531 ~~Acquisition Trust Fund may be transferred to the Save Our~~
3532 ~~Everglades Trust Fund to support Everglades restoration projects~~
3533 ~~included in the final report of the Select Committee on Indian~~
3534 ~~River Lagoon and Lake Okeechobee Basin, dated November 8, 2013,~~
3535 ~~and to the Florida Forever Trust Fund for the Florida Forever~~
3536 ~~program pursuant to nonoperating budget authority under s.~~
3537 ~~216.181(12). This paragraph expires July 1, 2015.~~

3538 ~~(4) The department may disburse moneys in the Land~~

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~~Acquisition Trust Fund to pay all necessary expenses to carry out the purposes of this act. The department shall disburse moneys from the Land Acquisition Trust Fund to the Fish and Wildlife Conservation Commission for the purpose of funding law enforcement services on state lands.~~

~~(4)-(5)~~ When the Legislature has authorized the Department of Environmental Protection to condemn a specific parcel of land and such parcel already has been approved for acquisition through the fund, the land may be acquired in accordance with the provisions of chapter 73 or chapter 74, and the fund may be used to pay the condemnation award and all costs, including a reasonable attorney ~~attorney's~~ fee, associated with condemnation.

Section 43. Subsection (2) of section 375.044, Florida Statutes, is amended to read:

375.044 Land Acquisition Trust Fund budget request.—

(2) The legislative budget request shall be submitted to the Executive Office of the Governor and the Legislature in conjunction with the provisions of ss. 216.023, 216.031, and 216.043. The 10-year request shall include, but need ~~shall~~ not be limited to:

(a) A 10-year annual cash-flow analysis of the Land Acquisition Trust Fund.

~~(b) The requested schedule of the agency for issuance of Save Our Coasts bonds.~~

~~(b)-(c)~~ Forecasts of anticipated revenues to the Land Acquisition Trust Fund.

~~(c)-(d)~~ The estimate of the agency of Land Acquisition Trust Fund encumbrances and commitments for each year and the

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corresponding estimates of expenditures.

Section 44. Section 375.045, Florida Statutes, is repealed.

Section 45. Subsection (1) and paragraph (c) of subsection (2) of section 375.075, Florida Statutes, are amended to read:
375.075 Outdoor recreation; financial assistance to local governments.—

(1) The Department of Environmental Protection is authorized to establish the Florida Recreation Development Assistance Program to provide grants subject to legislative appropriation to qualified local governmental entities to acquire or develop land for public outdoor recreation purposes. ~~To the extent not needed for debt service on bonds issued pursuant to s. 375.051, each year the department shall develop and plan a program which shall be based upon funding of not less than 5 percent of the money credited to the Land Acquisition Trust Fund pursuant to s. 201.15(2) and (3) in that year. The department shall develop and plan a program that must which shall be based upon the cumulative total funding appropriated by the Legislature for such purpose provided from this section and from the Florida Forever Trust Fund pursuant to s. 259.105(3)(d).~~

(2)

(c) Funds may not be released under ~~No release of funds from the Land Acquisition Trust Fund, or from the Florida Forever Trust Fund beginning in fiscal year 2001-2002, for this program may be made~~ for these public recreation projects until the projects have been selected through the competitive selection process provided for in this section.

Section 46. Section 376.11, Florida Statutes, is amended to

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read:

376.11 Florida Coastal Protection Trust Fund.—

(1) The purpose of this section is to provide a mechanism to have financial resources immediately available for prevention of, and cleanup and rehabilitation after, a pollutant discharge, to prevent further damage by the pollutant, and to pay for damages. It is the legislative intent that this section be liberally construed to effect the purposes set forth, such interpretation being especially imperative in light of the danger to the environment and resources.

(2) The Florida Coastal Protection Trust Fund is established, to be used by the department and the Fish and Wildlife Conservation Commission as a nonlapsing revolving fund ~~for carrying out the purposes of ss. 376.011-376.21.~~

(3) The following funds shall be deposited into the Florida Coastal Protection Trust Fund: ~~To this fund shall be credited~~

(a) All registration fees, penalties, judgments, damages recovered pursuant to s. 376.121, other fees and charges related to ss. 376.011-376.21, and the excise tax revenues levied, collected, and credited pursuant to ss. 206.9935(1) and 206.9945(1) (a);

(b) Proceeds of fines and awards of damages pursuant to s. 161.054; and

(c) Funds from other sources otherwise specified by law.

(4) Charges against the fund shall be in accordance with this section.

(5) ~~(3)~~ Moneys in the fund that are not needed currently to meet the obligations of the department in the exercise of its responsibilities under ss. 376.011-376.21 shall be deposited

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with the Chief Financial Officer to the credit of the fund and may be invested in such manner as is provided for by statute. Interest received on such investment shall be credited to the fund, except as otherwise specified herein.

(6)~~(4)~~ Moneys in the Florida Coastal Protection Trust Fund may ~~shall~~ be used ~~disbursed~~ for the following purposes ~~and no others:~~

(a) ~~(a)~~ Carrying out the purposes of ss. 376.011-376.21.

(b)~~(a)~~ Administrative expenses, personnel expenses, and equipment costs of the department and the Fish and Wildlife Conservation Commission related to the enforcement of ss. 376.011-376.21.

(c)~~(b)~~ All costs involved in the prevention and abatement of pollution related to the discharge of pollutants covered by ss. 376.011-376.21 and the abatement of other potential pollution hazards as authorized herein.

(d)~~(c)~~ All costs and expenses of the cleanup, restoration, and rehabilitation of waterfowl, wildlife, and all other natural resources damaged by the discharge of pollutants, including the costs of assessing and recovering damages to natural resources, whether performed or authorized by the department or any other state or local agency.

(e)~~(d)~~ All provable costs and damages which are the proximate results of the discharge of pollutants covered by ss. 376.011-376.21.

(f)~~(e)~~ Loans to the Inland Protection Trust Fund created in s. 376.3071.

(g)~~(f)~~ The interest earned from investments of the balance in the Florida Coastal Protection Trust Fund shall be used for

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3655 funding the administrative expenses, personnel expenses, and
3656 equipment costs of the department relating to the enforcement of
3657 ss. 376.011-376.21.

3658 (h)~~(g)~~ The funding of a grant program to local governments,
3659 pursuant to s. 376.15(3)(d) and (e), for the removal of derelict
3660 vessels from the public waters of the state.

3661 (i)~~(h)~~ The department may spend up to \$1 million per year
3662 from the principal of the fund to acquire, design, train, and
3663 maintain emergency cleanup response teams and equipment located
3664 at appropriate ports throughout the state for the purpose of
3665 cleaning oil and other toxic materials from coastal waters. When
3666 the teams and equipment are not needed for these purposes they
3667 may be used for any other valid purpose of the department.

3668 (j)~~(i)~~ To provide a temporary transfer of funds in an
3669 amount not to exceed \$10 million to the Minerals Trust Fund as
3670 set forth in s. 376.40.

3671 (k)~~(j)~~ Funding for marine law enforcement.

3672 (7)~~(5)~~ Any interest in lands acquired using moneys in the
3673 Florida Coastal Protection Trust Fund shall be held by the
3674 Trustees of the Internal Improvement Trust Fund, and such lands
3675 shall be acquired pursuant to the procedures set forth in s.
3676 253.025.

3677 (8)~~(6)~~ The department shall recover to the use of the fund
3678 from the person or persons causing the discharge or from the
3679 Federal Government, jointly and severally, all sums owed or
3680 expended from the fund, pursuant to s. 376.123(10), except that
3681 recoveries resulting from damage due to a discharge of a
3682 pollutant or other similar disaster shall be apportioned between
3683 the Florida Coastal Protection Trust Fund and the General

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Revenue Fund so as to repay the full costs to the General Revenue Fund of any sums disbursed therefrom as a result of such disaster. Requests for reimbursement to the fund for the above costs, if not paid within 30 days of demand, shall be turned over to the Department of Legal Affairs for collection.

Section 47. Subsection (8) of section 376.123, Florida Statutes, is amended to read:

376.123 Claims against the Florida Coastal Protection Trust Fund.—

(8) If a person chooses to make a claim against the fund and accepts payment from, or a judgment against, the fund, then the department shall be subrogated to any cause of action that the claimant may have had, to the extent of such payment or judgment, and shall diligently pursue recovery on that cause of action pursuant to subsection (10) and s. 376.11(8) ~~s.~~

~~376.11(6)~~. In any such action, the amount of damages shall be proved by the department by submitting to the court a written report of the amounts paid or owed from the fund to claimants. Such written report shall be admissible as evidence, and the amounts paid from or owed by the fund to the claimants stated therein shall be irrebuttably presumed to be the amount of damages.

Section 48. Paragraphs (g) through (l) are added to subsection (1) of section 376.307, Florida Statutes, subsection (4) of that section is amended, and subsection (8) is added to that section, to read:

376.307 Water Quality Assurance Trust Fund.—

(1) The Water Quality Assurance Trust Fund is intended to serve as a broad-based fund for use in responding to incidents

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of contamination that pose a serious danger to the quality of groundwater and surface water resources or otherwise pose a serious danger to the public health, safety, or welfare. Moneys in this fund may be used:

(g) For detailed planning for and implementation of programs for the management and restoration of ecosystems.

(h) For development and implementation of surface water improvement and management plans and programs under ss. 373.451-373.4595.

(i) For activities to restore polluted areas of the state, as defined by the department, to their condition before pollution occurred or to otherwise enhance pollution control activities.

(j) For activities undertaken by the department to recover moneys as a result of actions against a person for a violation of chapter 373.

(k) Funding activities described in s. 403.086(9) which are authorized for implementation under the Leah Schad Memorial Ocean Outfall Program.

(l) Funding activities to restore or rehabilitate injured or destroyed coral reefs.

(4) The trust fund shall be funded as follows:

(a) An annual transfer of interest funds from the Florida Coastal Protection Trust Fund pursuant to s. 376.11(6)(g) ~~s. 376.11(4)(f)~~.

(b) All excise taxes levied, collected, and credited to the Water Quality Assurance Trust Fund in accordance with the provisions of ss. 206.9935(2) and 206.9945(1)(b).

(c) All penalties, judgments, recoveries, reimbursements,

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and other fees and charges related to the enforcement of ss. 376.30-376.317, other than penalties, judgments, and other fees and charges related to the enforcement of ss. 376.3071 and 376.3073.

(d) The fee on the retail sale of lead-acid batteries credited to the Water Quality Assurance Trust Fund under s. 403.7185.

(e) All penalties, judgments, recoveries, reimbursements, loans, and other fees and charges collected under s. 376.3078; tax revenues levied, collected, and credited under ss. 376.70 and 376.75; and registration fees collected under s. 376.303(1)(d).

(f) All civil penalties recovered pursuant to s. 373.129(5)(a).

(g) Funds appropriated by the Legislature for the purposes of ss. 373.451-373.4598.

(h) Moneys collected pursuant to s. 403.121 and designated for deposit into the Water Quality Assurance Trust Fund.

(i) Moneys recovered by the state as a result of actions against a person for a violation of chapter 373 or chapter 403 initiated by the department.

(j) Damages recovered for coral reef protection pursuant to s. 403.93345.

(k) Funds available for the Leah Schad Memorial Ocean Outfall Program pursuant to s. 403.08601.

(l) Funds received by the state for injury to or destruction of coral reefs, which moneys would otherwise be deposited into the General Revenue Fund or the Internal Improvement Trust Fund. The department may enter into settlement

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agreements that require responsible parties to pay a third party to fund projects related to the restoration of a coral reef, to accomplish mitigation for injury to a coral reef, or to support the activities of law enforcement agencies related to coral reef injury response, investigation, and assessment. Participation of a law enforcement agency in the receipt of funds through this mechanism shall be at the law enforcement agency's discretion.

(m) Moneys from sources otherwise specified by law.

(8) A settlement entered into by the department may not limit the Legislature's authority to appropriate moneys from the trust fund; however, the department may enter into a settlement in which the department agrees to request that moneys received pursuant to the settlement will be included in its legislative budget request for purposes set out in the settlement; and further, the department may enter into a settlement in cases involving joint enforcement with the Hillsborough County pollution control program, as a program approved by the department pursuant to s. 403.182, in which the department agrees that moneys are to be deposited into that local program's pollution recovery fund and used for projects directed toward addressing the environmental damage that was the cause of action for which funds were received.

Section 49. Subsection (4) of section 376.40, Florida Statutes, is amended to read:

376.40 Petroleum exploration and production; purposes; funding.—

(4) FUNDING.—There shall be deposited in the Minerals Trust Fund:

(a) All fees charged permittees under ss. 377.24(1),

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377.2408(1), and 377.2425(1)(b).

(b) All penalties, judgments, recoveries, reimbursements, and other fees and charges related to the implementation of this section.

(c) Any other funds required to be deposited in the trust fund under provisions of law.

If moneys on deposit in the trust fund are not sufficient to satisfy the needed remedial or corrective action, and if the responsible party does not take remedial and corrective action in a timely manner or if a catastrophic event occurs, a temporary transfer of the required amount, or a maximum of \$10 million, from the Florida Coastal Protection Trust Fund pursuant to s. 376.11(6)(j) ~~s. 376.11(4)(i)~~ is authorized. The Florida Coastal Protection Trust Fund shall be reimbursed immediately upon deposit into the Minerals Trust Fund of moneys referred to in paragraph (b).

Section 50. Section 379.202, Florida Statutes, is repealed.

Section 51. Subsection (2) of section 379.206, Florida Statutes, is amended to read:

379.206 Grants and Donations Trust Fund.—

(2) The fund is established for use as a depository for funds to be used for allowable grant and donor agreement activities funded by restricted contractual revenue. Moneys to be credited to the trust fund shall consist of grants and donations from private and public nonfederal sources, development-of-regional-impact wildlife mitigation contributions, interest earnings, and cash advances from other trust funds.

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Section 52. Section 379.212, Florida Statutes, is amended to read:

379.212 Land Acquisition Trust Fund.—

(1)(a) There is established within the Fish and Wildlife Conservation Commission the Land Acquisition Trust Fund to implement s. 28, Art. X of the State Constitution ~~for the purpose of acquiring, assisting other agencies or local governments in acquiring, or managing lands important to the conservation of fish and wildlife.~~

(b) The Fish and Wildlife Conservation Commission or its designee shall manage such lands for the primary purpose of maintaining and enhancing their habitat value for fish and wildlife. Other uses may be allowed that are not contrary to this purpose.

(c) ~~If where~~ acquisition pursuant to this section will result in state ownership of land, title shall be vested in the Board of Trustees of the Internal Improvement Trust Fund as required in chapter 253. Land acquisition pursuant to this section shall be voluntary, negotiated acquisition and, if where title is to be vested in the Board of Trustees of the Internal Improvement Trust Fund, is subject to the acquisition procedures of s. 253.025.

(d) Acquisition costs shall include purchase prices and costs and fees associated with title work, surveys, and appraisals required to complete an acquisition.

(2) The fund may be credited with funds transferred from the Land Acquisition Trust Fund within the Department of Environmental Protection as provided in s. 375.041 ~~Moneys which may be deposited into the Land Acquisition Trust Fund for the~~

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~~purposes of this section may include, but not be limited to, donations, grants, development of regional impact wildlife mitigation contributions, or legislative appropriations. Preservation 2000 acquisition moneys and Conservation and Recreation Lands management moneys shall not be deposited into this fund.~~

(3) The Fish and Wildlife Conservation Commission shall maintain the integrity of such moneys transferred from the Department of Environmental Protection. Any transferred moneys available from reversions and reductions in budget authority shall be transferred back to the Land Acquisition Trust Fund in the Department of Environmental Protection within 15 days after such reversion or reduction and must be available for future appropriation pursuant to s. 28, Art. X of the State Constitution.

Section 53. Subsection (3) of section 379.362, Florida Statutes, is amended to read:

379.362 Wholesale and retail saltwater products dealers; regulation.—

(3) OYSTER MANAGEMENT AND RESTORATION PROGRAMS.—The Department of Agriculture and Consumer Services shall use or distribute funds appropriated from the Land Acquisition Trust Fund within the department paid into the State Treasury to the credit of the General Inspection Trust Fund pursuant to s. 201.15, less reasonable costs of administration, to fund the following oyster management and restoration programs in Apalachicola Bay and other oyster harvest areas in the state:

(a) The relaying and transplanting of live oysters.

(b) Shell planting to construct or rehabilitate oyster

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bars.

(c) Education programs for licensed oyster harvesters on oyster biology, aquaculture, boating and water safety, sanitation, resource conservation, small business management, and other relevant subjects.

(d) Research directed toward the enhancement of oyster production in the bay and the water management needs of the bay.

Section 54. Subsection (12) of section 380.0666, Florida Statutes, is amended to read:

380.0666 Powers of land authority.—The land authority shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this act, including the following powers, which are in addition to all other powers granted by other provisions of this act:

(12) To identify parcels of land within the area or areas of critical state concern that would be appropriate acquisitions by the state ~~from the Conservation and Recreational Lands Trust Fund~~ and recommend such acquisitions to the advisory council established pursuant to s. 259.035 or its successor.

Section 55. Section 380.0677, Florida Statutes, is repealed.

Section 56. Subsection (11) of section 380.507, Florida Statutes, is amended to read:

380.507 Powers of the trust.—The trust shall have all the powers necessary or convenient to carry out the purposes and provisions of this part, including:

(11) To make rules necessary to carry out the purposes of this part and to exercise any power granted in this part, pursuant to ~~the provisions of~~ chapter 120. The trust shall adopt

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rules governing the acquisition of lands with ~~using~~ proceeds from ~~the Preservation 2000 Trust Fund and the Florida Forever Trust Fund~~, consistent with the intent expressed in the Florida Forever Act. Such rules for land acquisition must include, but are not limited to, procedures for appraisals and confidentiality consistent with ss. 125.355(1)(a) and (b) and 166.045(1)(a) and (b), a method of determining a maximum purchase price, and procedures to assure that the land is acquired in a voluntarily negotiated transaction, surveyed, conveyed with marketable title, and examined for hazardous materials contamination. Land acquisition procedures of a local land authority created pursuant to s. 380.0663 ~~or s. 380.0677~~ may be used for the land acquisition programs described in former s. ~~by ss.~~ 259.101(3)(c), Florida Statutes 2014, and in s. 259.105 if within areas of critical state concern designated pursuant to s. 380.05, subject to approval of the trust.

Section 57. Subsection (4) of section 380.508, Florida Statutes, is amended to read:

380.508 Projects; development, review, and approval.—

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

(a) The purpose of redevelopment projects shall be to restore areas which are adversely affected by scattered ownership, poor lot layout, inadequate park and open space, incompatible land uses, or other conditions which endanger the environment or impede orderly development. Grants and loans awarded for redevelopment projects shall be used for assembling parcels of land within redevelopment project areas for the

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redesign of such areas and for the installation of public improvements required to serve such areas. After redesign and installation of public improvements, if any, lands in redevelopment projects, with the exception of lands acquired for public purposes, shall be conveyed to any person for development in accordance with a redevelopment project plan approved according to this part.

(b) The purpose of resource enhancement projects shall be to enhance natural resources which, because of indiscriminate dredging or filling, improper location of improvements, natural or human-induced events, or incompatible land uses, have suffered loss of natural and scenic values. Grants and loans awarded for resource enhancement projects shall be used for the assembly of parcels of land to improve resource management, for relocation of improperly located or designed improvements, and for other corrective measures which will enhance the natural and scenic character of project areas.

(c) The purpose of public access projects shall be to acquire interests in and initially develop lands which are suitable for and which will be used for public accessways to surface waters. The trust shall identify local governments and nonprofit organizations which will accept responsibility for maintenance and liability for public accessways which are located outside the state park system. The trust may lease any public access site developed under this part to a local government or nonprofit organization, provided that the conditions of the lease guarantee public use of the site. The trust may accept, from any local government or nonprofit organization, fees collected for providing public access to

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surface waters. The trust shall expend any such funds it accepts only for acquisition, development, and maintenance of such public accessways. To the maximum extent possible, the trust shall expend such fees in the general area where they are collected or in areas where public access to surface waters is clearly deficient. The trust may transfer funds, including such fees, to a local government or nonprofit organization to acquire public access sites. In developing or coordinating public access projects, the trust shall ensure that project plans involving beach access are consistent with state laws governing beach access.

(d) The purpose of urban waterfront restoration projects shall be to restore deteriorated or deteriorating urban waterfronts for public use and enjoyment. Urban waterfront restoration projects shall include public access sites.

(e) The purpose of working waterfront projects shall be to restore and preserve working waterfronts as provided in s. 380.5105.

(f) The trust shall cooperate with local governments, state agencies, federal agencies, and nonprofit organizations in ensuring the reservation of lands for parks, recreation, fish and wildlife habitat, historical preservation, or scientific study. If ~~In the event that~~ any local government, state agency, federal agency, or nonprofit organization is unable, due to limited financial resources or other circumstances of a temporary nature, to acquire a site for the purposes described in this paragraph, the trust may acquire and hold the site for subsequent conveyance to the appropriate governmental agency or nonprofit organization. The trust may provide such technical

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assistance as ~~is~~ required to aid local governments, state and federal agencies, and nonprofit organizations in completing acquisition and related functions. The trust may ~~shall~~ not reserve lands acquired in accordance with this paragraph for more than 5 years from the time of acquisition. A local government, federal or state agency, or nonprofit organization may acquire the land at any time during this period for public purposes. The purchase price shall be based upon the trust's cost of acquisition, plus administrative and management costs in reserving the land. The payment of the ~~this~~ purchase price shall be by money, trust-approved property of an equivalent value, or a combination of money and trust-approved property. If, after the 5-year period, the trust has not sold to a governmental agency or nonprofit organization land acquired for site reservation, the trust shall dispose of such land at fair market value or shall trade it for other land of comparable value which will serve to accomplish the purposes of this part. Any proceeds from the sale of such land shall be deposited into ~~in~~ the appropriate Florida Communities trust fund pursuant to s. 253.034(6)(k), (l), or (m). All moneys and revenue from the operation, management, lease, or other disposition of land, water areas, related resources, and the facilities thereon acquired or constructed under this part shall be credited to or deposited into the Internal Improvement Trust Fund.

Project costs may include costs of providing parks, open space, public access sites, scenic easements, and other areas and facilities serving the public where such features are part of a project plan approved according to this part. In undertaking or

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4032 coordinating projects or activities authorized by this part, the
4033 trust shall, when appropriate, use and promote the use of
4034 creative land acquisition methods, including the acquisition of
4035 less than fee interest through, among other methods,
4036 conservation easements, transfer of development rights, leases,
4037 and leaseback arrangements. The trust ~~also~~ shall assist local
4038 governments in the use of sound alternative methods of financing
4039 for funding projects and activities authorized under ~~by~~ this
4040 part. Any funds over and above eligible project costs, which
4041 remain after completion of a project approved according to this
4042 part, shall be transmitted to the state and deposited into ~~in~~
4043 the Florida Forever ~~Florida Communities~~ Trust Fund.

4044 Section 58. Paragraph (f) of subsection (3) and subsections
4045 (5) and (7) of section 380.510, Florida Statutes, are amended to
4046 read:

4047 380.510 Conditions of grants and loans.—

4048 (3) In the case of a grant or loan for land acquisition,
4049 agreements shall provide all of the following:

4050 ~~(f) The term of any grant using funds received from the~~
4051 ~~Preservation 2000 Trust Fund, pursuant to s. 259.101(3)(c),~~
4052 ~~shall be for a period not to exceed 24 months. The governing~~
4053 ~~board of the trust may offer a grant with a shorter term and may~~
4054 ~~extend a grant beyond 24 months when the grant recipient~~
4055 ~~demonstrates that significant progress is being made toward~~
4056 ~~closing the project or that extenuating circumstances warrant an~~
4057 ~~extension of time. If a local government project which was~~
4058 ~~awarded a grant is not closed within 24 months and the governing~~
4059 ~~board of the trust does not grant an extension, the grant~~
4060 ~~reverts to the trust's unencumbered balance of Preservation 2000~~

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~~funds to be redistributed to other eligible projects. The local government may reapply for a grant to fund the project in the trust's next application cycle.~~

Any deed or other instrument of conveyance whereby a nonprofit organization or local government acquires real property under this section shall set forth the interest of the state. The trust shall keep at least one copy of any such instrument and shall provide at least one copy to the Board of Trustees of the Internal Improvement Trust Fund.

(5) Any funds the trust collects from a nonprofit organization or local government under a grant or loan agreement shall be deposited into in the Internal Improvement Florida Communities Trust Fund within the Department of Environmental Protection.

(7) Any funds received by the trust ~~from the Preservation 2000 Trust Fund pursuant to s. 259.105(3)(c) or s. 375.041 s. 259.101(3)(c) and the Florida Forever Trust Fund pursuant to s. 259.105(3)(c)~~ shall be held separate and apart from any other funds held by the trust and ~~shall be used for the land acquisition purposes of this part. In addition to the other conditions set forth in this section, the disbursement of Preservation 2000 and Florida Forever funds from the trust shall be subject to the following conditions:~~

(a) The administration and use of Florida Forever ~~any funds are received by the trust from the Preservation 2000 Trust Fund and the Florida Forever Trust Fund~~ shall be subject to such terms and conditions imposed thereon by the agency of the state responsible for the bonds, the proceeds of which are deposited

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4090 ~~into in the Preservation 2000 Trust Fund and the Florida Forever~~
4091 Trust Fund, including restrictions imposed to ensure that the
4092 interest on any such bonds issued by the state as tax-exempt
4093 bonds is ~~will~~ not be included in the gross income of the holders
4094 of such bonds for federal income tax purposes.

4095 (b) All deeds or leases with respect to any real property
4096 acquired with funds received by the trust from the Preservation
4097 2000 Trust Fund, the Florida Forever Trust Fund, or the Land
4098 Acquisition Trust Fund must ~~shall~~ contain such covenants and
4099 restrictions as are sufficient to ensure that the use of such
4100 real property at all times complies with s. 375.051 and s. 9,
4101 Art. XII of the State Constitution. Each deed ~~All deeds~~ or lease
4102 ~~leases~~ with respect to any real property acquired with funds
4103 received by the trust from the Florida Forever Trust Fund before
4104 July 1, 2015, must ~~shall~~ contain ~~such~~ covenants and restrictions
4105 ~~as are~~ sufficient to ensure that the use of such real property
4106 at all times complies with s. 11(e), Art. VII of the State
4107 Constitution. Each deed or lease with respect to any real
4108 property acquired with funds received by the trust from the
4109 Florida Forever Trust Fund after July 1, 2015, must contain
4110 covenants and restrictions sufficient to ensure that the use of
4111 such real property at all times complies with s. 28, Art. X of
4112 the State Constitution. Each deed or lease must ~~shall~~ contain a
4113 reversion, conveyance, or termination clause that vests ~~will~~
4114 ~~vest~~ title in the Board of Trustees of the Internal Improvement
4115 Trust Fund if any of the covenants or restrictions are violated
4116 by the titleholder or leaseholder or by some third party with
4117 the knowledge of the titleholder or leaseholder.

4118 Section 59. Section 380.511, Florida Statutes, is repealed.

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Section 60. Subsection (2) of section 403.0615, Florida Statutes, is amended to read:

403.0615 Water resources restoration and preservation.—

(2) Subject to specific legislative appropriation, the department shall establish a program to assist in the restoration and preservation of bodies of water and to enhance existing public access when deemed necessary for the enhancement of the restoration effort. ~~This program shall be funded from the General Revenue Fund, from funds available from the Ecosystem Management and Restoration Trust Fund, and from available federal moneys.~~

Section 61. Section 403.08601, Florida Statutes, is amended to read:

403.08601 Leah Schad Memorial Ocean Outfall Program.—The Legislature declares that as funds become available the state may assist the local governments and agencies responsible for implementing the Leah Schad Memorial Ocean Outfall Program pursuant to s. 403.086(9). Funds received from other sources provided for in law, the General Appropriations Act, from gifts designated for implementation of the plan from individuals, corporations, or other entities, or federal funds appropriated by Congress for implementation of the plan, may be deposited into an account of the Water Quality Assurance Ecosystem ~~Management and Restoration Trust Fund created pursuant to s. 403.1651.~~

Section 62. Subsection (11) of section 403.121, Florida Statutes, is amended to read:

403.121 Enforcement; procedure; remedies.—The department shall have the following judicial and administrative remedies

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4148 available to it for violations of this chapter, as specified in
4149 s. 403.161(1).

4150 (11) Penalties collected pursuant to this section shall be
4151 deposited into ~~in~~ the Water Quality Assurance Ecosystem
4152 ~~Management and Restoration~~ Trust Fund or other trust fund
4153 designated by statute and shall be used to fund the restoration
4154 of ecosystems, or polluted areas of the state, as defined by the
4155 department, to their condition before pollution occurred. The
4156 Florida Conflict Resolution Consortium may use a portion of the
4157 fund to administer the mediation process provided in paragraph
4158 (2)(e) and to contract with private mediators for administrative
4159 penalty cases.

4160 Section 63. Section 403.1651, Florida Statutes, is
4161 repealed.

4162 Section 64. Subsection (1) of section 403.885, Florida
4163 Statutes, is amended to read:

4164 403.885 Water Projects Grant Program.—

4165 (1) The Department of Environmental Protection shall
4166 administer a grant program to use funds ~~transferred pursuant to~~
4167 ~~s. 212.20 to the Ecosystem Management and Restoration Trust Fund~~
4168 ~~or other moneys as~~ appropriated by the Legislature for water
4169 quality improvement, stormwater management, wastewater
4170 management, and water restoration and other water projects as
4171 specifically appropriated by the Legislature. Eligible
4172 recipients of such grants include counties, municipalities,
4173 water management districts, and special districts that have
4174 legal responsibilities for water quality improvement, water
4175 management, stormwater management, wastewater management, lake
4176 and river water restoration projects, and drinking water

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projects pursuant to this section.

Section 65. Section 403.8911, Florida Statutes, is repealed.

Section 66. Subsection (6) of section 403.9325, Florida Statutes, is amended to read:

403.9325 Definitions.—For the purposes of ss. 403.9321-403.9333, the term:

(6) "Public lands set aside for conservation or preservation" means:

(a) Lands and interests acquired with funds deposited into the Land Acquisition Trust Fund pursuant to s. 28(a), Art. X of the State Constitution;

(b)~~(a)~~ Conservation and recreation lands under chapter 259;

(c)~~(b)~~ State and national parks;

(d)~~(c)~~ State and national reserves and preserves, except as provided in s. 403.9326(3);

(e)~~(d)~~ State and national wilderness areas;

(f)~~(e)~~ National wildlife refuges (only those lands under Federal Government ownership);

(g)~~(f)~~ Lands acquired through the former Water Management Lands Trust Fund, Save Our Rivers Program;

(h)~~(g)~~ Lands acquired under the Save Our Coast program;

(i)~~(h)~~ Lands acquired under the environmentally endangered lands bond program;

(j)~~(i)~~ Public lands designated as conservation or preservation under a local government comprehensive plan;

(k)~~(j)~~ Lands purchased by a water management district, the Fish and Wildlife Conservation Commission, or any other state agency for conservation or preservation purposes;

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(1) ~~(*)~~ Public lands encumbered by a conservation easement that does not provide for the trimming of mangroves; and

(m) ~~(1)~~ Public lands designated as critical wildlife areas by the Fish and Wildlife Conservation Commission.

Section 67. Paragraph (f) of subsection (3) and subsection (11) of section 403.93345, Florida Statutes, are amended to read:

403.93345 Coral reef protection.—

(3) As used in this section, the term:

(f) "Fund" means the Water Quality Assurance Ecosystem Management and Restoration Trust Fund.

(11) All damages recovered by or on behalf of this state for injury to, or destruction of, the coral reefs of the state that would otherwise be deposited in the general revenue accounts of the State Treasury or in the Internal Improvement Trust Fund shall be deposited into ~~in~~ the Water Quality Assurance Ecosystem Management and Restoration Trust Fund in the department and shall remain in such account until expended by the department for the purposes of this section. Moneys in the fund received from damages recovered for injury to, or destruction of, coral reefs must be expended only for the following purposes:

(a) To provide funds to the department for reasonable costs incurred in obtaining payment of the damages for injury to, or destruction of, coral reefs, including administrative costs and costs of experts and consultants. Such funds may be provided in advance of recovery of damages.

(b) To pay for restoration or rehabilitation of the injured or destroyed coral reefs or other natural resources by a state

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agency or through a contract to any qualified person.

(c) To pay for alternative projects selected by the department. Any such project shall be selected on the basis of its anticipated benefits to the residents of this state who used the injured or destroyed coral reefs or other natural resources or will benefit from the alternative project.

(d) All claims for trust fund reimbursements under paragraph (a) must be made within 90 days after payment of damages is made to the state.

(e) Each private recipient of fund disbursements shall be required to agree in advance that its accounts and records of expenditures of such moneys are subject to audit at any time by appropriate state officials and to submit a final written report describing such expenditures within 90 days after the funds have been expended.

(f) When payments are made to a state agency from the fund for expenses compensable under this subsection, such expenditures shall be considered as being for extraordinary expenses, and no agency appropriation shall be reduced by any amount as a result of such reimbursement.

Section 68. Section 570.207, Florida Statutes, is repealed.

Section 69. Subsection (2) of section 570.321, Florida Statutes, is amended to read:

570.321 Plant Industry Trust Fund.—

(2) Funds to be credited to and uses of the trust fund shall be administered in accordance with ss. ~~259.032~~, 581.031, 581.141, 581.211, 581.212, 586.045, 586.15, 586.16, 593.114, and 593.117.

Section 70. Subsection (12) of section 570.71, Florida

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Statutes, is amended to read:

570.71 Conservation easements and agreements.—

(12) The department may use appropriated funds from the following sources to implement this section:

(a) State funds;

(b) Federal funds;

(c) Other governmental entities;

(d) Nongovernmental organizations; or

(e) Private individuals.

Any such funds provided, other than from the Land Acquisition Trust Fund, shall be deposited into the Incidental Conservation and Recreation Lands Program Trust Fund within the Department of Agriculture and Consumer Services and used for the purposes of this section, including administrative and operating expenses related to appraisals, mapping, title process, personnel, and other real estate expenses.

Section 71. Paragraph (c) of subsection (1) of section 895.09, Florida Statutes, is amended to read:

895.09 Disposition of funds obtained through forfeiture proceedings.—

(1) A court entering a judgment of forfeiture in a proceeding brought pursuant to s. 895.05 shall retain jurisdiction to direct the distribution of any cash or of any cash proceeds realized from the forfeiture and disposition of the property. The court shall direct the distribution of the funds in the following order of priority:

(c) Any claim by the Board of Trustees of the Internal Improvement Trust Fund on behalf of the Internal Improvement

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Trust Fund or the ~~Land Acquisition~~ trust fund used pursuant to s. 253.03(12), not including administrative costs of the Department of Environmental Protection previously paid directly from the Internal Improvement Trust Fund in accordance with legislative appropriation.

Section 72. Paragraph (c) of subsection (1) of s. 260.015, Florida Statutes, is reenacted for the purpose of incorporating the amendment made by this act to s. 259.035, Florida Statutes, in a reference thereto.

Section 73. Paragraph (b) of subsection (3) of s. 258.015, Florida Statutes, is reenacted for the purpose of incorporating the amendment made by this act to s. 375.041, Florida Statutes, in a reference thereto.

Section 74. Subsection (2) of s. 287.0595, Florida Statutes, is reenacted for the purpose of incorporating the amendment made by this act to s. 376.307, Florida Statutes, in a reference thereto.

Section 75. This act shall take effect July 1, 2015.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Environmental Preservation and Conservation

BILL: CS/SB 586

INTRODUCER: Environmental Preservation and Conservation Committee and Senator Dean

SUBJECT: Implementation of The Water and Land Conservation Constitutional Amendment

DATE: February 18, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Gudeman	Uchino	EP	Fav/CS
2.			AGG	
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

CS/SB 586 revises the statutory distributions of revenues derived from the excise tax on documents to satisfy the recently-enacted water and land conservation constitutional amendment. The bill requires the Land Acquisition Trust Fund (LATF) to receive 33 percent of net revenues from the excise tax on documents. It also requires payment of debt service for Florida Forever and Everglades bonds out of the LATF, and deletes existing distributions to trust funds that serve environmental purposes. The bill maintains the existing effective percentage distributions to the transportation, affordable housing, and grants and donations trust funds, but actual distributions to these trust funds are reduced because they receive a remainder of the revenues after moneys are first distributed to the LATF. The bill maintains existing distributions to the State Economic Enhancement and Development Trust Fund, and provides a specific distribution for making payments in lieu of taxes to local governments.

The bill increases the amounts to be distributed for environmental purposes from the excise tax on documents and decreases amounts for other purposes, including the General Revenue Fund.

II. Present Situation:

Excise Tax on Documents

Chapter 201, F.S., levies a tax on two classes of documents. Deeds and other documents related to real property are taxed at the rate of 70 cents per \$100. (The tax rate on documents relating to

realty is 60 cents per \$100 in Miami-Dade County, which since 1983 has levied a discretionary surtax on deeds of 45 cents per \$100 of consideration except for deeds on single family residences.) Certificates of indebtedness, promissory notes, wage assignments and retail charge account agreements are taxed at 35 cents per \$100, but the tax on any one document may not exceed \$2,450. Revenue from the tax on documents is divided between the General Revenue Fund and various trust funds.

Distribution of Tax Revenues

Section 201.15, F.S., prescribes the distribution of revenues from the tax on documents. Revenues are pledged to fund debt service for Florida Forever and Everglades bonds and are distributed to fifteen trust funds and the General Revenue Fund. Eight percent of total collections is deducted as the General Revenue service charge, and deductions are made for costs of collection and enforcement of the tax. The table in the Fiscal Impact Statement section of this analysis shows the amounts distributed under current law.

After deductions of the General Revenue service charge required by s. 215.20(1), F.S., and the costs of collection and enforcement, the remaining revenues from the tax on documents are distributed pursuant to s. 201.15, F.S.

- 63.31 percent of revenues are distributed as follows:
 - Debt service for Preservation 2000, Florida Forever, and Everglades Restoration bonds;¹
 - Of the remainder of the 63.31 percent after payment of debt service:
 - The lesser of 38.2 percent or \$541.75 million in each fiscal year, to the State Transportation Trust Fund is used for the following purposes:
 - The first \$75 million must be transferred to the State Economic Enhancement and Development (SEED) Trust Fund in the Department of Economic Opportunity;
 - After the transfer to the SEED Trust Fund, capital funding for the New Starts Transit Program and the Small County Outreach Program each receive 10 percent of the remainder; and
 - Of the remainder after moneys for the SEED trust fund and the other two programs are accounted for, 75 percent for the Strategic Intermodal System, and 25 percent for the Transportation Regional Incentive Program, of which the first \$60 million is annually allocated to the Florida Rail Enterprise.
 - The lesser of 0.23 percent or \$3.25 million in each fiscal year, to the Grants and Donations Trust Fund in the Department of Economic Opportunity;
 - The lesser of 2.12 percent or \$30 million in each fiscal year, to the Ecosystem Management and Restoration Trust Fund;
 - The lesser of 0.02 percent or \$300,000 in each fiscal year, to the General Inspection Trust Fund in the Department of Agriculture and Consumer Services to fund oyster management and restoration;
 - The remainder to the General Revenue Fund;
- The following distributions are based on revenues from the tax on documents after deduction of the General Revenue service charge imposed in s. 215.20(1), F.S., and the costs of collection and enforcement.

¹ The reference to Preservation 2000 bonds is currently in statute; however, the program is obsolete.

- The lesser of 7.56 percent or \$84.9 million in each fiscal year to the LATF for any lawful purpose, after payments of \$6.3 million to the General Revenue Fund;²
- The lesser of 1.94 percent or \$26 million in each fiscal year to the LATF for acquiring or managing coastal lands, after paying debt service on bonds issued before February 1, 2009, and paying \$11 million to the General Revenue Fund;
- The lesser of 4.2 percent or \$60.5 million in each fiscal year to the Water Management Lands Trust Fund, which must transfer to the General Revenue Fund an amount equal to the debt service on Everglades bonds authorized in 2014;³
- 3.52 percent to the Conservation and Recreational Lands (CARL) Trust Fund, with 11.15 percent of that amount being transferred to the State Game Trust Fund for land management activities;
- The lesser of 2.28 percent or \$34.1 million to the Invasive Plant Control Trust Fund;⁴
- The lesser of 0.5 percent or \$9.3 million in each fiscal year to the State Game Trust Fund for implementing the Lake Restoration 2020 Program;⁵
- 0.25 percent each to the Water Quality Assurance Trust Fund and to the General Inspection Trust Fund in the Department of Agriculture and Consumer Services;
- 7.53 percent to the State Housing Trust Fund, the first \$35 million of which is transferred to the SEED Trust Fund, and, of the remainder, half remains in the State Housing Trust Fund and half is distributed to the Local Government Housing Trust Fund;
- 8.66 percent to State Housing Trust Fund, the first \$40 million of which is transferred to the SEED Trust Fund and of the remainder 12.5 percent remains in the State Housing Trust Fund and 87.5 percent is distributed to the Local Government Housing Trust Fund; and
- The remainder to the General Revenue Fund.

From year to year, the appropriations made from each trust fund are specified in the General Appropriations Act and may be more or less than the annual statutory distributions.

Payment in Lieu of Taxes

Section 259.032(12), F.S., directs the Legislature to provide funds from the CARL Trust Fund to the Department of Environmental Protection (DEP) for payment in lieu of taxes to qualifying local governments for all actual tax losses incurred as a result of land acquisitions under the Florida Forever program or the Preservation 2000 program. Payment is available to counties that have a population of 150,000 or fewer and other local governments located in those counties. Payment is also available to Glades County from funds in the Department of Correction's budget to offset the loss of ad valorem tax revenue related to privately owned and operated juvenile justice facilities.

² If the amount to be distributed increases from the prior fiscal year, the stated maximum amount in this distribution is increased by an amount equal to 10 percent of the increase in the amount to be distributed multiplied by the applicable percentage.

³ *Id.*

⁴ *Id.*

⁵ *Id.*

The Water and Land Conservation Constitutional Amendment

In 2014, Florida voters approved a constitutional amendment proposed by Florida's Water and Land Legacy to provide a dedicated funding source for water and land conservation and restoration.⁶ The amendment created article X, section 28 of the Florida Constitution and was approved by 75 percent of the electors voting on the issue.

The amendment requires that starting on July 1, 2015, for 20 years, 33 percent of net revenues derived from the existing excise tax on documents, as defined by the statutes in effect on January 1, 2012, must be deposited into the LATF.⁷

The amendment requires that funds in the LATF be expended only for the following purposes:

- As provided by law, to finance or refinance:
 - the acquisition and improvement of land, water areas, and related property interests, including conservation easements, and resources for conservation lands including wetlands, forests, and fish and wildlife habitat;
 - wildlife management areas;
 - lands that protect water resources and drinking water sources, including lands protecting the water quality and quantity of rivers, lakes, streams, springsheds, and lands providing recharge for groundwater and aquifer systems;
 - lands in the Everglades Agricultural Area and the Everglades Protection Area, as defined in article II, section 7(b) of the Florida Constitution;
 - beaches and shores;
 - outdoor recreation lands, including recreational trails, parks, and urban open space;
 - rural landscapes;
 - working farms and ranches;
 - historic or geologic sites;
 - together with management, restoration of natural systems, and the enhancement of public access or recreational enjoyment of conservation lands.

The amendment authorizes moneys deposited into the LATF to be used to pay debt service on bonds issued pursuant to article VII, section 11(e) of the Florida Constitution, and prohibits the moneys deposited into the LATF from being commingled with the General Revenue Fund of the state.⁸

⁶ The founding organizations of Florida's Water and Land Legacy are: The Trust for Public Land, Audubon Florida, Florida Wildlife Federation, Sierra Club Florida, Florida Conservation Alliance Institute, Alachua Conservation Trust, 1000 Friends of Florida, Defenders of Wildlife, Conservation Trust for Florida, The Conservation Fund, The Nature Conservancy, Florida Conservation Coalition, and Rails to Trails Conservancy. Florida's Water and Land Legacy, *Non-Profit Endorsements*, <http://floridawaterlandlegacy.org/sections/page/endorsers> (last visited Feb. 6, 2015).

⁷ The net revenues are the amount of revenues after the Department of Revenue first deducts a service charge to pay the costs of the collection and enforcement of the excise tax on documents.

⁸ FLA. CONST. art VII, s. 11(e), provides, "[b]onds pledging all or part of a dedicated state tax revenue may be issued by the state in the manner provided by general law to finance or refinance the acquisition and improvement of land, water areas, and related property interests and resources for the purposes of conservation, outdoor recreation, water resource development, restoration of natural systems, and historic preservation."

III. Effect of Proposed Changes:

Section 1 amends s. 201.15, F.S., to conform to the requirement of the constitutional amendment that the LATF receive at least 33 percent of net revenues derived from the existing excise tax on documents. It provides that revenue distributed to the LATF is not subject to the General Revenue service charge and provides that all revenue from the tax on documents is pledged and must first be made available to make payments on Florida Forever and Everglades bonds. Amounts necessary to make bond payments must be deposited in the LATF. Any remainder of the 33 percent of all revenues from the tax on documents after the costs of collection and enforcement are deducted and after bond payments are made must be deposited in the LATF.

The bill requires that funds deposited in the LATF must first be used for debt service payments for Florida Forever bonds and Save Our Everglades bonds. The bill specifies that the bonds issued pursuant to s. 215.618, F.S., or s. 215.619, F.S., are equally and ratably secured by funds distributed to the LATF. In addition, the bill removes obsolete language related to Preservation 2000 bonds and Save our Coast bonds, which have been retired.

After the required distributions to the LATF and deduction of the General Revenue service charge, the bill provides for certain distributions of the remainder in each fiscal year.

- The lesser of 24.18442 percent of the remainder or \$541.75 million is distributed to the State Transportation Trust Fund;⁹
- The Grants and Donations Trust Fund in the Department of Economic Opportunity receives the lesser of 0.1456 percent of the remainder or \$3.25 million to fund technical assistance to local governments;¹⁰ and
- The sum of \$1.16 million is credited to the Internal Improvement Trust Fund for the purpose of making payments in lieu of taxes pursuant to s. 259.032(12)(b), F.S.

The bill deletes distributions of revenue from the tax on documents to:

- The Ecosystem Management and Restoration Trust Fund;
- The General Inspection Trust Fund for oyster management and restoration programs;
- The Water Management Lands Trust Fund;
- The CARL Trust Fund;
- The Invasive Plant Control Trust Fund;
- The State Game Trust Fund;
- The Water Quality Assurance Trust Fund; and
- The Department of Agriculture and Consumer Services General Inspection Trust Fund.

Existing distributions to the LATF are also deleted.

Sections 2-20 repeal obsolete provisions of statute and contain technical and conforming changes related to this act.

⁹ Even though the statutory percentage is reduced from 38.2 to 24.18442 percent, the effective percentage remains the same. The bill calculates this distribution as a percentage of the whole after the LATF distribution, not as a percentage of the 63.31 percent as required by current law.

¹⁰ The effective percentage has not changed. See the above footnote for a more detailed explanation.

Section 21 reenacts subsection (2) of s. 201.031, F.S., subsection (6) of s. 339.2818, F.S., subsection (5) of s. 339.2819, F.S., subsection (3) of s. 339.61, F.S., subsection (6) of s. 341.051, F.S., paragraph (e) of subsection (4) of s. 373.470, F.S., and subsection (1) of s. 420.9079, F.S., for the purpose of incorporating the changes made by the bill to s. 201.15, F.S.

Section 22 provides an effective date of July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

This bill amends s. 201.15, F.S., to satisfy the requirement of article X, section 28 of the Florida Constitution.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill revises distributions of revenue from the tax on documents to multiple trust funds and general revenue. The extent of the impact on the private sector will depend on how programs funded from affected trust funds or general revenue are impacted, which cannot be determined at this time.

C. Government Sector Impact:

Current and Proposed Distribution of Tax on Documents			
Fiscal Year 2015-2016 estimate			
(\$ millions)			
	Current Law	SB 586 Distribution	Difference
Total Tax on Documents	2,305.90	2,305.90	-
DOR Administrative Costs	9.80	9.80	-
33 percent LATF Distribution	-	757.71	757.71
General Revenue Service Charge	184.47	123.85	(60.62)
Environmental Debt Service*	173.30	-	(173.30)
DEO Grants and Donations TF	2.68	2.06	(0.62)
DEP Ecosystem Management and Restoration TF	24.70	-	(24.70)
DACS General Inspection TF	0.23	-	(0.23)
DOT State Transportation TF (STTF)	369.50	267.10	(102.40)
DEO SEED TF (from STTF)	75.00	75.00	-
Land Acquisition TF (current law)	79.90	-	(79.90)
LATF Coastal Lands	15.00	-	(15.00)
Water Management Lands TF	48.90	-	(48.90)
Conservation and Recreational Lands TF	66.00	-	(66.00)
Invasive Plant Control TF	34.50	-	(34.50)
State Game TF	17.70	-	(17.70)
Water Quality Assurance TF	5.30	-	(5.30)
General Inspection TF	5.30	-	(5.30)
Payment in lieu of taxes	-	1.16	1.16
DEO SEED TF (from State Housing TF)	75.00	75.00	-
State Housing TF	79.86	46.07	(33.79)
Local Housing TF	187.01	107.95	(79.06)
General Revenue	851.75	840.20	(11.56)
Summary			
Distributions for Environmental Purposes	470.83	757.71	286.88
Distributions to Other Trust Funds:			
Transportation	369.50	267.10	(102.40)
Economic Development	152.68	152.06	(0.62)
Affordable Housing	266.87	154.02	(112.85)
Payment in lieu of taxes	-	1.20	1.20
Distributions to General Revenue	1,036.19	964.07	(72.12)
Totals may not match due to rounding			
*Debt Service is paid out of the 33 percent LATF distribution under SB 586			

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 201.15 and 375.075.

This bill repeals the following sections of the Florida Statutes: 161.05301, 161.091(3), and 375.045.

This bill reenacts the following sections of Florida Statutes: 201.031(2), 339.2818(6), 339.2819(5), 339.61(3), 341.051(6), 373.470(4)(e), 420.9079(1).

This bill makes conforming changes to the following sections of the Florida Statutes: 201.0205, 215.618, 215.619, 259.032, 259.1051, 339.0801, 339.55, 341.303, 343.58, 369.252, 379.214, 379.362, 403.8911, 420.5092, and 420.9073.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Environmental Preservation and Conservation on February 18, 2015:

The committee substitute resolves the technical deficiency that was present in the bill by including the cross reference to s. 201.15(2), F.S.

B. Amendments:

None.



757398

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/18/2015	.	
	.	
	.	
	.	

The Committee on Environmental Preservation and Conservation
(Dean) recommended the following:

Senate Amendment

Delete lines 117 - 118

and insert:

(4) ~~(e)~~ After the required distributions to the Land
Acquisition Trust Fund pursuant to subsections (1) and (2) and
deduction



399872

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/18/2015	.	
	.	
	.	
	.	

The Committee on Environmental Preservation and Conservation
(Smith) recommended the following:

Senate Substitute for Amendment (757398)

Delete lines 117 - 121

and insert:

(4)(e) From all taxes collected under this chapter, after
the required deduction of the service charge imposed pursuant to
s. 215.20(1) and the costs of collection and enforcement imposed
pursuant to s. 201.15 ~~payments under paragraphs (a) and (b), the~~
~~remainder shall be distributed as follows paid into the State~~
~~Treasury to the credit of:~~

By Senator Dean

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A bill to be entitled

An act relating to the implementation of the water and land conservation constitutional amendment; amending s. 201.15, F.S.; revising and deleting distributions of the tax; providing that specified distributions to the Land Acquisition Trust Fund are not subject to the service charge under s. 215.20, F.S.; revising the purposes for which distributions may be used; repealing s. 161.05301, F.S., relating to beach erosion control project staffing; repealing s. 161.091(3), F.S., relating to funding for the state's beach management plan; repealing s. 375.045, F.S., relating to the Florida Preservation 2000 Trust Fund; amending s. 375.075, F.S.; requiring specified public recreation projects to have been selected through the Department of Environmental Protection's competitive selection process prior to the release of funds; conforming provisions to changes made by the act; amending ss. 201.0205, 215.618, 215.619, 259.032, 259.1051, 339.0801, 339.55, 341.303, 343.58, 369.252, 379.214, 379.362, 403.8911, 420.5092, and 420.9073, F.S.; conforming provisions to changes made by the act; reenacting ss. 201.031(2), 339.2818(6), 339.2819(5), 339.61(3), 341.051(6), 373.470(4)(e), and 420.9079(1), F.S., to incorporate the amendment made by this act to s. 201.15, F.S., in references thereto; providing an effective date.

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

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Section 1. Section 201.15, Florida Statutes, is amended to read:

201.15 Distribution of taxes collected.—All taxes collected under this chapter, except taxes distributed to the Land Acquisition Trust Fund pursuant to subsections (1) and (2), are subject to the service charge imposed in s. 215.20(1). Before distribution pursuant to ~~under~~ this section, the Department of Revenue shall deduct amounts necessary to pay the costs of the collection and enforcement of the tax levied by this chapter. The ~~Such~~ costs and ~~the~~ service charge may not be levied against any portion of taxes pledged to debt service on bonds to the extent that the costs and service charge are required to pay any amounts relating to the bonds. ~~After distributions are made pursuant to subsection (1),~~ All of the costs of the collection and enforcement of the tax levied by this chapter and the service charge shall be available and transferred to the extent necessary to pay debt service and any other amounts payable with respect to bonds authorized before January 1, 2015, secured by revenues distributed pursuant to this section ~~subsection (1)~~. All taxes remaining after deduction of costs ~~and the service charge~~ shall be distributed as follows:

(1) All of the remaining taxes collected under this chapter are pledged and shall be first made available to make payments on bonds issued pursuant to s. 215.618 or s. 215.619, as provided under paragraphs (3) (a) and (b), or on any other bonds authorized to be issued on a parity basis with such bonds. Amounts necessary to make such payments shall be deposited in the Land Acquisition Trust Fund.

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59 (2) From taxes remaining after the payments required
60 pursuant to subsection (1), an amount equal to 33 percent of all
61 taxes collected after first deducting the costs of collection,
62 minus amounts paid pursuant to subsection (1), shall be
63 deposited in the Land Acquisition Trust Fund.

64 (3) Amounts on deposit in the Land Acquisition Trust Fund
65 ~~Sixty-three and thirty-one hundredths percent of the remaining~~
66 ~~taxes shall be used in for the following order purposes:~~

67 (a) Payment of ~~Amounts necessary to pay the debt service~~
68 ~~on, or funding of fund~~ debt service reserve funds, rebate
69 obligations, or other amounts payable with respect to
70 ~~Preservation 2000 bonds issued pursuant to s. 375.051 and~~
71 ~~Florida Forever bonds issued pursuant to s. 215.618, shall be~~
72 ~~paid into the State Treasury to the credit of the Land~~
73 ~~Acquisition Trust Fund to be used for such purposes. The amount~~
74 ~~used for such purposes transferred to the Land Acquisition Trust~~
75 ~~Fund may not exceed \$300 million in each fiscal year 1999-2000~~
76 ~~and thereafter for Preservation 2000 bonds and bonds issued to~~
77 ~~refund Preservation 2000 bonds, and \$300 million in fiscal year~~
78 ~~2000-2001 and thereafter for Florida Forever bonds. The annual~~
79 ~~amount transferred to the Land Acquisition Trust Fund for~~
80 ~~Florida Forever bonds may not exceed \$30 million in the first~~
81 ~~fiscal year in which bonds are issued. The limitation on the~~
82 ~~amount transferred shall be increased by an additional \$30~~
83 ~~million in each subsequent fiscal year, but may not exceed a~~
84 ~~total of \$300 million in any fiscal year for all bonds issued.~~
85 It is the intent of the Legislature that all bonds issued to
86 fund the Florida Forever Act be retired by December 31, 2040.
87 Except for bonds issued to refund previously issued bonds, no

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88 series of bonds may be issued pursuant to this paragraph unless
89 such bonds are approved and the debt service for the remainder
90 of the fiscal year in which the bonds are issued is specifically
91 appropriated in the General Appropriations Act. ~~For purposes of~~
92 ~~refunding Preservation 2000 bonds, amounts designated within~~
93 ~~this section for Preservation 2000 and Florida Forever bonds may~~
94 ~~be transferred between the two programs to the extent provided~~
95 ~~for in the documents authorizing the issuance of the bonds. The~~
96 ~~Preservation 2000 bonds and Florida Forever bonds are equally~~
97 ~~and ratably secured by moneys distributable to the Land~~
98 ~~Acquisition Trust Fund pursuant to this section, except as~~
99 ~~specifically provided otherwise by the documents authorizing the~~
100 ~~issuance of the bonds. Moneys transferred to the Land~~
101 ~~Acquisition Trust Fund pursuant to this paragraph, or earnings~~
102 ~~thereon, may not be used or made available to pay debt service~~
103 ~~on the Save Our Coast revenue bonds.~~

104 (b) Payment ~~Moneys shall be paid~~ into the State Treasury to
105 the credit of the Save Our Everglades Trust Fund in amounts
106 necessary to pay debt service, provide reserves, and pay rebate
107 obligations and other amounts due with respect to bonds issued
108 pursuant to ~~under~~ s. 215.619. Taxes distributed under paragraph
109 (a) and this paragraph must be collectively distributed on a pro
110 rata basis when the available moneys under this subsection are
111 not sufficient to cover the amounts required under paragraph (a)
112 and this paragraph.

113
114 Bonds issued pursuant to s. 215.618 or s. 215.619 are equally
115 and ratably secured by moneys distributable to the Land
116 Acquisition Trust Fund.

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117 (4)~~(e)~~ After the required distribution to the Land
118 Acquisition Trust Fund pursuant to subsection (1) and deduction
119 of the service charge imposed pursuant to s. 215.20(1) payments
120 under paragraphs (a) and (b), the remainder shall be distributed
121 as follows paid into the State Treasury to the credit of:

122 (a)1. The State Transportation Trust Fund in the Department
123 of Transportation in the amount of The lesser of 24.18442 ~~38.2~~
124 percent of the remainder or \$541.75 million in each fiscal year
125 shall be paid into the State Treasury to the credit of the State
126 Transportation Trust Fund. Out Of such funds, the first \$50
127 million for the 2012-2013 fiscal year; \$65 million for the 2013-
128 2014 fiscal year; and \$75 million for each the 2014-2015 fiscal
129 year and all subsequent years, shall be transferred to the State
130 Economic Enhancement and Development Trust Fund within the
131 Department of Economic Opportunity. Notwithstanding any other
132 law, the remaining amount credited to the State Transportation
133 Trust Fund shall remainder is to be used for the following
134 specified purposes, notwithstanding any other law to the
135 contrary:

136 1.a. For the purposes of Capital funding for the New Starts
137 Transit Program, authorized by Title 49, U.S.C. s. 5309 and
138 specified in s. 341.051, in the amount of 10 percent of the
139 these funds;

140 2.b. For the purposes of The Small County Outreach Program
141 specified in s. 339.2818, in the amount of 10 ~~5~~ percent of the
142 these funds. Effective July 1, 2014, the percentage allocated
143 under this sub-subparagraph shall be increased to 10 percent;

144 3.c. For the purposes of The Strategic Intermodal System
145 specified in ss. 339.61, 339.62, 339.63, and 339.64, in the

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146 amount of 75 percent of the these funds after deduction of the
147 payments required pursuant to subparagraphs 1. and 2. allocating
148 for the New Starts Transit Program described in sub-subparagraph
149 a. and the Small County Outreach Program described in sub-
150 subparagraph b.; and

151 4.d. For the purposes of The Transportation Regional
152 Incentive Program specified in s. 339.2819, in the amount of 25
153 percent of the these funds after deduction of the payments
154 required pursuant to subparagraphs 1. and 2. allocating for the
155 New Starts Transit Program described in sub-subparagraph a. and
156 the Small County Outreach Program described in sub-subparagraph
157 b. Effective July 1, 2014, The first \$60 million of the funds
158 allocated pursuant to this subparagraph sub-subparagraph shall
159 be allocated annually to the Florida Rail Enterprise for the
160 purposes established in s. 341.303(5).

161 (b)2. The Grants and Donations Trust Fund in the Department
162 of Economic Opportunity in the amount of The lesser of .1456 .23
163 percent of the remainder or \$3.25 million in each fiscal year
164 shall be paid into the State Treasury to the credit of the
165 Grants and Donations Trust Fund in the Department of Economic
166 Opportunity to fund technical assistance to local governments.

167 3. The Ecosystem Management and Restoration Trust Fund in
168 the amount of the lesser of 2.12 percent of the remainder or \$30
169 million in each fiscal year, to be used for the preservation and
170 repair of the state's beaches as provided in ss. 161.091-
171 161.212.

172 4. General Inspection Trust Fund in the amount of the
173 lesser of .02 percent of the remainder or \$300,000 in each
174 fiscal year to be used to fund oyster management and restoration

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175 ~~programs as provided in s. 379.362(3).~~

176
177 Moneys distributed pursuant to paragraphs (a) and (b) ~~this~~
178 ~~paragraph~~ may not be pledged for debt service unless such pledge
179 is approved by referendum of the voters.

180 ~~(d) After the required payments under paragraphs (a), (b),~~
181 ~~and (c), the remainder shall be paid into the State Treasury to~~
182 ~~the credit of the General Revenue Fund to be used and expended~~
183 ~~for the purposes for which the General Revenue Fund was created~~
184 ~~and exists by law.~~

185 ~~(2) The lesser of 7.56 percent of the remaining taxes or~~
186 ~~\$84.9 million in each fiscal year shall be distributed as~~
187 ~~follows:~~

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

191 ~~(b) The remainder shall be paid into the State Treasury to~~
192 ~~the credit of the Land Acquisition Trust Fund. Sums deposited in~~
193 ~~the fund pursuant to this subsection may be used for any purpose~~
194 ~~for which funds deposited in the Land Acquisition Trust Fund may~~
195 ~~lawfully be used.~~

196 ~~(3)(a) The lesser of 1.94 percent of the remaining taxes or~~
197 ~~\$26 million in each fiscal year shall be distributed in the~~
198 ~~following order:~~

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

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

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

208 ~~(b) Moneys deposited in the Land Acquisition Trust Fund~~
209 ~~pursuant to this subsection shall be used to acquire coastal~~
210 ~~lands or to pay debt service on bonds issued to acquire coastal~~
211 ~~lands and to develop and manage lands acquired with moneys from~~
212 ~~the trust fund.~~

213 ~~(4) The lesser of 4.2 percent of the remaining taxes or~~
214 ~~\$60.5 million in each fiscal year shall be paid into the State~~
215 ~~Treasury to the credit of the Water Management Lands Trust Fund.~~
216 ~~Sums deposited in that fund may be used for any purpose~~
217 ~~authorized in s. 373.59. An amount equal to the amounts~~
218 ~~necessary to pay debt service or to fund debt service reserve~~
219 ~~funds, rebate obligations, or other amounts payable with respect~~
220 ~~to bonds authorized pursuant to s. 215.619(1)(a)2. and the~~
221 ~~proviso associated with Specific Appropriation 1626A of the~~
222 ~~2014-2015 General Appropriations Act shall be transferred~~
223 ~~annually from the Water Management Lands Trust Fund to the~~
224 ~~General Revenue Fund.~~

225 ~~(5) Of the remaining taxes, 3.52 percent shall be paid into~~
226 ~~the State Treasury to the credit of the Conservation and~~
227 ~~Recreation Lands Trust Fund to carry out the purposes set forth~~
228 ~~in s. 259.032. Eleven and fifteen hundredths percent of the~~
229 ~~amount credited to the Conservation and Recreation Lands Trust~~
230 ~~Fund pursuant to this subsection shall be transferred to the~~
231 ~~State Game Trust Fund and used for land management activities.~~

232 ~~(6) The lesser of 2.28 percent of the remaining taxes or~~

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~~\$34.1 million in each fiscal year shall be paid into the State Treasury to the credit of the Invasive Plant Control Trust Fund to carry out the purposes set forth in ss. 369.22 and 369.252.~~

~~(7) The lesser of .5 percent of the remaining taxes or \$9.3 million in each fiscal year shall be paid into the State Treasury to the credit of the State Game Trust Fund to be used exclusively for the purpose of implementing the Lake Restoration 2020 Program.~~

~~(8) One-half of one percent of the remaining taxes shall be paid into the State Treasury and divided equally to the credit of the Department of Environmental Protection Water Quality Assurance Trust Fund to address water quality impacts associated with nonagricultural nonpoint sources and to the credit of the Department of Agriculture and Consumer Services General Inspection Trust Fund to address water quality impacts associated with agricultural nonpoint sources, respectively. These funds shall be used for research, development, demonstration, and implementation of suitable best management practices or other measures used to achieve water quality standards in surface waters and water segments identified pursuant to ss. 303(d) of the Clean Water Act, Pub. L. No. 92-500, 33 U.S.C. ss. 1251 et seq. Implementation of best management practices and other measures may include cost share grants, technical assistance, implementation tracking, and conservation leases or other agreements for water quality improvement. The Department of Environmental Protection and the Department of Agriculture and Consumer Services may adopt rules governing the distribution of funds for implementation of best management practices. The unobligated balance of funds received~~

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~~from the distribution of taxes collected under this chapter to address water quality impacts associated with nonagricultural nonpoint sources must be excluded when calculating the unobligated balance of the Water Quality Assurance Trust Fund as it relates to the determination of the applicable excise tax rate.~~

(c) ~~(9)~~ Seven and fifty-three hundredths percent of the remainder ~~remaining taxes~~ in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund. ~~Out~~ Of such funds, ~~beginning in the 2012-2013 fiscal year,~~ the first \$35 million shall be transferred annually, subject to any distribution required pursuant to ~~under~~ subsection (5) ~~(15)~~, to the State Economic Enhancement and Development Trust Fund within the Department of Economic Opportunity. The remainder shall be used as follows:

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

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

(d) ~~(10)~~ Eight and sixty-six hundredths percent of the remainder ~~remaining taxes~~ in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund. ~~Out~~ Of such funds, ~~beginning in the 2012-2013 fiscal year,~~ the first \$40 million shall be transferred annually, subject to any distribution required pursuant to ~~under~~ subsection (5) ~~(15)~~, to the State Economic Enhancement and Development Trust Fund

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within the Department of Economic Opportunity. The remainder shall be used as follows:

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

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

(e) The sum of \$1.16 million in each fiscal year shall be paid into the State Treasury to the credit of the Internal Improvement Trust Fund for the purpose of making payment in lieu of taxes under s. 259.032(12)(b).

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

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

~~(13) In each fiscal year that the remaining taxes exceed collections in the prior fiscal year, the stated maximum dollar~~

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amounts provided in subsections ~~(2), (4), (6), and (7)~~ shall each be increased by an amount equal to 10 percent of the increase in the remaining taxes collected under this chapter multiplied by the applicable percentage provided in those subsections.

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

(5) ~~(15)~~ Distributions to the State Housing Trust Fund pursuant to paragraphs (4) (c) and (d) ~~subsections (9) and (10)~~ must be sufficient to cover amounts required to be transferred to the Florida Affordable Housing Guarantee Program's annual debt service reserve and guarantee fund pursuant to s. 420.5092(6) (a) and (b) up to the amount required to be transferred to such reserve and fund based on the percentage distribution of documentary stamp tax revenues to the State Housing Trust Fund which is in effect in the 2004-2005 fiscal year.

~~(16) If amounts necessary to pay debt service or any other amounts payable with respect to Preservation 2000 bonds, Florida Forever bonds, or Everglades Restoration bonds authorized before January 1, 2015, exceed the amounts distributable pursuant to subsection (1), all moneys distributable pursuant to this section are available for such obligations and transferred in the amounts necessary to pay such obligations when due. However,~~

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~~amounts distributable pursuant to subsection (2), subsection (3), subsection (4), subsection (5), paragraph (9) (a), or paragraph (10) (a) are not available to pay such obligations to the extent that such moneys are necessary to pay debt service on bonds secured by revenues pursuant to those provisions.~~

~~(6) (17)~~ After the distributions provided in the preceding subsections, any remaining taxes shall be paid into the State Treasury to the credit of the General Revenue Fund.

Section 2. Section 161.05301, Florida Statutes, is repealed.

Section 3. Subsection (3) of section 161.091, Florida Statutes, is repealed.

Section 4. Section 375.045, Florida Statutes, is repealed.

Section 5. Subsection (1) and paragraph (c) of subsection (2) of section 375.075, Florida Statutes, are amended to read:

375.075 Outdoor recreation; financial assistance to local governments.—

(1) The Department of Environmental Protection may ~~is~~ ~~authorized to~~ establish the Florida Recreation Development Assistance Program to provide grants to qualified local governmental entities to acquire or develop land for public outdoor recreation purposes. ~~To the extent not needed for debt service on bonds issued pursuant to s. 375.051, each year~~ The department shall annually develop and plan a program ~~which shall be based upon funding of not less than 5 percent of the money credited to the Land Acquisition Trust Fund pursuant to s. 201.15(2) and (3) in that year.~~ The department shall develop and ~~plan a program which shall be based upon~~ the cumulative total funding provided from this section and from the Florida Forever

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Trust Fund pursuant to s. 259.105(3)(d).

(2)

(c) Funds may not be released under ~~No release of funds from the Land Acquisition Trust Fund, or from the Florida Forever Trust Fund beginning in fiscal year 2001-2002, for this program may be made~~ for these public recreation projects until the projects have been selected through the competitive selection process provided for in this section.

Section 6. Section 201.0205, Florida Statutes, is amended to read:

201.0205 Counties that have implemented ch. 83-220; inapplicability of 10-cent tax increase by s. 2, ch. 92-317, Laws of Florida.—The 10-cent tax increase in the documentary stamp tax levied by s. 2, chapter 92-317, does not apply to deeds and other taxable instruments relating to real property located in any county that has implemented the provisions of chapter 83-220, Laws of Florida, as amended by chapters 84-270, 86-152, and 89-252, Laws of Florida. Each such county and each eligible jurisdiction within such county may ~~shall not be eligible to~~ participate in programs funded pursuant to s. 201.15(4)(c) ~~s. 201.15(9)~~. However, each such county and each eligible jurisdiction within such county may ~~shall be eligible to~~ participate in programs funded pursuant to s. 201.15(4)(d) ~~s. 201.15(10)~~.

Section 7. Paragraph (a) of subsection (1) and subsection (3) of section 215.618, Florida Statutes, are amended to read:

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

(1)(a) The issuance of Florida Forever bonds, not to exceed

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407 \$5.3 billion, to finance or refinance the cost of acquisition
408 and improvement of land, water areas, and related property
409 interests and resources, in urban and rural settings, for the
410 purposes of restoration, conservation, recreation, water
411 resource development, or historical preservation, and for
412 capital improvements to lands and water areas that accomplish
413 environmental restoration, enhance public access and
414 recreational enjoyment, promote long-term management goals, and
415 facilitate water resource development is ~~hereby~~ authorized,
416 subject to ~~the provisions of~~ s. 259.105 and pursuant to s.
417 11(e), Art. VII of the State Constitution. ~~Florida Forever bonds~~
418 ~~may also be issued to refund Preservation 2000 bonds issued~~
419 ~~pursuant to s. 375.051. The \$5.3 billion limitation on the~~
420 ~~issuance of Florida Forever bonds does not apply to refunding~~
421 ~~bonds. The duration of each series of Florida Forever bonds~~
422 ~~issued may not exceed 20 annual maturities. Preservation 2000~~
423 ~~bonds and Florida Forever bonds shall be equally and ratably~~
424 ~~secured by moneys distributable to the Land Acquisition Trust~~
425 ~~Fund pursuant to s. 201.15(1)(a), except to the extent~~
426 ~~specifically provided otherwise by the documents authorizing the~~
427 ~~issuance of the bonds.~~

428 (3) Bonds issued pursuant to this section are ~~shall be~~
429 payable from taxes distributable to the Land Acquisition Trust
430 Fund pursuant to s. 201.15(1)(a). Bonds issued pursuant to this
431 section do ~~shall~~ not constitute a general obligation of, or a
432 pledge of the full faith and credit of, the state.

433 Section 8. Subsections (2) and (3) of section 215.619,
434 Florida Statutes, are amended to read:

435 215.619 Bonds for Everglades restoration.—

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

(3) Everglades restoration bonds are payable from, and secured by a first lien on, taxes distributable pursuant to ~~under~~ s. 201.15(1) ~~(b)~~ and do not constitute a general obligation of, or a pledge of the full faith and credit of, the state. Everglades restoration bonds shall be secured on a parity basis with bonds secured by moneys distributable pursuant to ~~under~~ s. 201.15(1) ~~(a)~~.

Section 9. Paragraph (a) of subsection (2) of section 259.032, Florida Statutes, is amended to read:

259.032 Conservation and Recreation Lands Trust Fund; purpose.—

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

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

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

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

Section 10. Subsections (1) and (3) of section 259.1051, Florida Statutes, are amended to read:

259.1051 Florida Forever Trust Fund.—

(1) ~~There is created~~ The Florida Forever Trust Fund is created to carry out the purposes of ss. 259.032, 259.105, 259.1052, and 375.031. The Florida Forever Trust Fund shall be held and administered by the department ~~of Environmental Protection~~. Proceeds from the sale of bonds, except proceeds of refunding bonds, issued pursuant to ~~under~~ s. 215.618 and payable from moneys transferred to the Land Acquisition Trust Fund pursuant to ~~under~~ s. 201.15(1)(a), not to exceed \$5.3 billion, shall ~~must~~ be deposited into this trust fund to be distributed and used as provided in s. 259.105(3). The bond resolution adopted by the governing board of the division ~~of Bond Finance of the State Board of Administration~~ may provide for additional provisions that govern the disbursement of the bond proceeds.

(3) The department ~~of Environmental Protection~~ shall ensure that the proceeds from the sale of bonds issued pursuant to ~~under~~ s. 215.618 and payable from moneys transferred to the Land Acquisition Trust Fund pursuant to ~~under~~ s. 201.15(1)(a) are ~~shall be~~ administered and expended in a manner that ensures compliance of each issue of bonds that are issued on the basis that interest thereon will be excluded from gross income for federal income tax purposes, with the applicable provisions of the United States Internal Revenue Code and the regulations adopted ~~promulgated~~ thereunder, to the extent necessary to

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494 preserve the exclusion of interest on the bonds from gross
495 income for federal income tax purposes. The department ~~of~~
496 ~~Environmental Protection~~ shall administer the use and
497 disbursement of the proceeds of such bonds or require that such
498 ~~the~~ use and disbursement ~~thereof~~ be administered in a manner to
499 implement strategies to maximize any available benefits under
500 the applicable provisions of the United States Internal Revenue
501 Code or regulations adopted ~~promulgated~~ thereunder, if
502 consistent ~~to the extent not inconsistent~~ with the purposes
503 identified in s. 259.105(3).

504 Section 11. Subsection (4) of section 339.0801, Florida
505 Statutes, is amended to read:

506 339.0801 Allocation of increased revenues derived from
507 amendments to s. 319.32(5)(a) by ch. 2012-128.—Funds that result
508 from increased revenues to the State Transportation Trust Fund
509 derived from the amendments to s. 319.32(5)(a) made by this act
510 must be used annually, first as set forth in subsection (1) and
511 then as set forth in subsections (2)-(5), notwithstanding any
512 other provision of law:

513 (4) Beginning in the 2013-2014 fiscal year and annually
514 thereafter, \$10 million shall be allocated to the Small County
515 Outreach Program, to be used as specified in s. 339.2818. These
516 funds are in addition to the funds provided for the program
517 pursuant to s. 201.15 ~~in s. 201.15(1)(c)1.b.~~

518 Section 12. Subsection (9) of section 339.55, Florida
519 Statutes, is amended to read:

520 339.55 State-funded infrastructure bank.—

521 (9) Funds paid into the State Transportation Trust Fund
522 pursuant to s. 201.15 ~~s. 201.15(1)(c)~~ for the purposes of the

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State Infrastructure Bank are ~~hereby~~ annually appropriated for expenditure to support that program.

Section 13. Subsection (5) of section 341.303, Florida Statutes, is amended to read:

341.303 Funding authorization and appropriations; eligibility and participation.—

(5) FUND PARTICIPATION; FLORIDA RAIL ENTERPRISE.—

~~(a) The department, through the Florida Rail Enterprise, is authorized to use funds provided pursuant to s. 201.15(4)(a)4. under s. 201.15(1)(c)1.d. to fund:~~

(a) Up to 50 percent of the nonfederal share of the costs of any eligible passenger rail capital improvement project.

~~(b) The department, through the Florida Rail Enterprise, is authorized to use funds provided under s. 201.15(1)(c)1.d. to fund~~ Up to 100 percent of planning and development costs related to the provision of a passenger rail system, including, but not limited to, preliminary engineering, revenue studies, environmental impact studies, financial advisory services, engineering design, and other appropriate professional services.

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

~~(d) The department, through the Florida Rail Enterprise, is authorized to use funds provided under s. 201.15(1)(c)1.d. to fund~~ Projects necessary to identify or address anticipated impacts of increased freight rail traffic resulting from the implementation of passenger rail systems as provided in s. 341.302(3)(b).

Section 14. Paragraph (b) of subsection (4) of section

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343.58, Florida Statutes, is amended to read:

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

(4) Notwithstanding any other provision of law to the
contrary and effective July 1, 2010, until as provided in
paragraph (d), the department shall transfer annually from the
State Transportation Trust Fund to the South Florida Regional
Transportation Authority the amounts specified in subparagraph
(a)1. or subparagraph (a)2.

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

Section 15. Section 369.252, Florida Statutes, is amended
to read:

369.252 Invasive plant control on public lands.—The Fish
and Wildlife Conservation Commission shall establish a program
that will accomplish all of the following to:

(1) Achieve eradication or maintenance control of invasive
exotic plants on public lands when the scientific data indicate
that they are detrimental to the state's natural environment or
when the Commissioner of Agriculture finds that such plants or
specific populations thereof are a threat to the agricultural
productivity of the state.†

(2) Assist state and local government agencies in the
development and implementation of coordinated management plans
for the eradication or maintenance control of invasive exotic
plant species on public lands.†

(3) Contract, or enter into agreements, with entities in
the State University System or other governmental or private

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sector entities for research concerning control agents;
production and growth of biological control agents; and
development of workable methods for the eradication or
maintenance control of invasive exotic plants on public lands.†
~~and~~

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

Section 16. Subsection (2) of section 379.214, Florida
Statutes, is amended to read:

379.214 Invasive Plant Control Trust Fund.—

(2) Funds to be credited to and uses of the trust fund
shall be administered in accordance with the provisions of ss.
~~201.15,~~ 206.606, 328.76, 369.20, 369.22, 369.252, and 379.502.

Section 17. Subsection (3) of section 379.362, Florida
Statutes, is amended to read:

379.362 Wholesale and retail saltwater products dealers;
regulation.—

(3) OYSTER MANAGEMENT AND RESTORATION PROGRAMS.—The
Department of Agriculture and Consumer Services shall ~~use or
distribute funds paid into the State Treasury to the credit of
the General Inspection Trust Fund pursuant to s. 201.15, less
reasonable costs of administration, to~~ fund the following oyster
management and restoration programs in Apalachicola Bay and
other oyster harvest areas in the state:

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(a) The relaying and transplanting of live oysters.

(b) Shell planting to construct or rehabilitate oyster bars.

(c) Education programs for licensed oyster harvesters on oyster biology, aquaculture, boating and water safety, sanitation, resource conservation, small business management, and other relevant subjects.

(d) Research directed toward the enhancement of oyster production in the bay and the water management needs of the bay.

Section 18. Section 403.8911, Florida Statutes, is amended to read:

403.8911 Annual appropriation from the Water Protection and Sustainability Program Trust Fund.—

~~(1) Funds paid into the Water Protection and Sustainability Program Trust Fund pursuant to s. 201.15 are hereby annually appropriated for expenditure for the purposes for which the Water Protection and Sustainability Program trust fund is established.~~

~~(2) If the Water Protection and Sustainability Program trust fund is not created, such funds are hereby annually appropriated for expenditure from the Ecosystem Management and Restoration Trust Fund solely for the purposes established in s. 403.890.~~

Section 19. Subsections (5) and (6) of section 420.5092, Florida Statutes, are amended to read:

420.5092 Florida Affordable Housing Guarantee Program.—

(5) Pursuant to s. 16, Art. VII of the State Constitution, the corporation may issue, in accordance with s. 420.509, revenue bonds of the corporation to establish the guarantee

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639 fund. The ~~Such~~ revenue bonds are ~~shall be~~ primarily payable from
640 and secured by annual debt service reserves, from interest
641 earned on funds on deposit in the guarantee fund, from fees,
642 charges, and reimbursements established by the corporation for
643 the issuance of affordable housing guarantees, and from any
644 other revenue sources received by the corporation and deposited
645 by the corporation into the guarantee fund for the issuance of
646 affordable housing guarantees. If ~~To the extent~~ such primary
647 revenue sources are considered insufficient by the corporation,
648 pursuant to the certification provided in subsection (6), to
649 fully fund the annual debt service reserve, the certified
650 deficiency in such reserve is also ~~shall be additionally~~ payable
651 from the first proceeds of the documentary stamp tax moneys
652 deposited into the State Housing Trust Fund pursuant to s.
653 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and (10)(a)~~ during the
654 ensuing state fiscal year.

655 (6)(a) If the primary revenue sources to be used for
656 repayment of revenue bonds used to establish the guarantee fund
657 are insufficient for such repayment, the annual principal and
658 interest due on each series of revenue bonds is ~~shall be~~ payable
659 from funds in the annual debt service reserve. The corporation
660 shall, before June 1 of each year, perform a financial audit to
661 determine whether at the end of the state fiscal year there will
662 be on deposit in the guarantee fund an annual debt service
663 reserve from interest earned pursuant to the investment of the
664 guarantee fund, fees, charges, and reimbursements received from
665 issued affordable housing guarantees and other revenue sources
666 available to the corporation. Based upon the findings in such
667 guarantee fund financial audit, the corporation shall certify to

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the Chief Financial Officer the amount of any projected deficiency in the annual debt service reserve for any series of outstanding bonds as of the end of the state fiscal year and the amount necessary to maintain such annual debt service reserve. Upon receipt of such certification, the Chief Financial Officer shall transfer to the annual debt service reserve, from the first available taxes distributed to the State Housing Trust Fund pursuant to s. 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and (10)(a)~~ during the ensuing state fiscal year, the amount certified as necessary to maintain the annual debt service reserve.

(b) If the claims payment obligations under affordable housing guarantees from amounts on deposit in the guarantee fund would cause the claims paying rating assigned to the guarantee fund to be less than the third-highest rating classification of any nationally recognized rating service, which classifications being consistent with s. 215.84(3) and rules adopted thereto by the State Board of Administration, the corporation shall certify to the Chief Financial Officer the amount of such claims payment obligations. Upon receipt of such certification, the Chief Financial Officer shall transfer to the guarantee fund, from the first available taxes distributed to the State Housing Trust Fund pursuant to s. 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and (10)(a)~~ during the ensuing state fiscal year, the amount certified as necessary to meet such obligations, such transfer to be subordinate to any transfer referenced in paragraph (a) and not to exceed 50 percent of the amounts distributed to the State Housing Trust Fund pursuant to s. 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and (10)(a)~~ during the preceding state fiscal year.

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Section 20. Subsections (1), (2), and (3) of section 420.9073, Florida Statutes, are amended to read:

420.9073 Local housing distributions.—

(1) Distributions calculated in this section shall be disbursed on a quarterly or more frequent basis by the corporation pursuant to s. 420.9072, subject to availability of funds. Each county's share of the funds to be distributed from the portion of the funds in the Local Government Housing Trust Fund received pursuant to s. 201.15(4)(c) ~~s. 201.15(9)~~ shall be calculated by the corporation for each fiscal year as follows:

(a) Each county other than a county that has implemented ~~the provisions of~~ chapter 83-220, Laws of Florida, as amended by chapters 84-270, 86-152, and 89-252, Laws of Florida, shall receive the guaranteed amount for each fiscal year.

(b) Each county other than a county that has implemented ~~the provisions of~~ chapter 83-220, Laws of Florida, as amended by chapters 84-270, 86-152, and 89-252, Laws of Florida, may receive an additional share calculated as follows:

1. Multiply each county's percentage of the total state population excluding the population of any county that has implemented ~~the provisions of~~ chapter 83-220, Laws of Florida, as amended by chapters 84-270, 86-152, and 89-252, Laws of Florida, by the total funds to be distributed.

2. If the result in subparagraph 1. is less than the guaranteed amount as determined in subsection (3), that county's additional share shall be zero.

3. For each county in which the result in subparagraph 1. is greater than the guaranteed amount as determined in subsection (3), the amount calculated in subparagraph 1. shall

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be reduced by the guaranteed amount. The result for each such county shall be expressed as a percentage of the amounts so determined for all counties. Each such county shall receive an additional share equal to such percentage multiplied by the total funds received by the Local Government Housing Trust Fund pursuant to s. 201.15(4) (c) ~~s. 201.15(9)~~ reduced by the guaranteed amount paid to all counties.

(2) Distributions calculated in this section shall be disbursed on a quarterly or more frequent basis by the corporation pursuant to s. 420.9072, subject to availability of funds. Each county's share of the funds to be distributed from the portion of the funds in the Local Government Housing Trust Fund received pursuant to s. 201.15(4) (d) ~~s. 201.15(10)~~ shall be calculated by the corporation for each fiscal year as follows:

(a) Each county shall receive the guaranteed amount for each fiscal year.

(b) Each county may receive an additional share calculated as follows:

1. Multiply each county's percentage of the total state population, by the total funds to be distributed.

2. If the result in subparagraph 1. is less than the guaranteed amount as determined in subsection (3), that county's additional share shall be zero.

3. For each county in which the result in subparagraph 1. is greater than the guaranteed amount, the amount calculated in subparagraph 1. shall be reduced by the guaranteed amount. The result for each such county shall be expressed as a percentage of the amounts so determined for all counties. Each such county shall receive an additional share equal to this percentage

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multiplied by the total funds received by the Local Government Housing Trust Fund pursuant to s. 201.15(4)(d) ~~s. 201.15(10)~~ as reduced by the guaranteed amount paid to all counties.

(3) Calculation of guaranteed amounts:

(a) The guaranteed amount under subsection (1) shall be calculated for each state fiscal year by multiplying \$350,000 by a fraction, the numerator of which is the amount of funds distributed to the Local Government Housing Trust Fund pursuant to s. 201.15(4)(c) ~~s. 201.15(9)~~ and the denominator of which is the total amount of funds distributed to the Local Government Housing Trust Fund pursuant to s. 201.15.

(b) The guaranteed amount under subsection (2) shall be calculated for each state fiscal year by multiplying \$350,000 by a fraction, the numerator of which is the amount of funds distributed to the Local Government Housing Trust Fund pursuant to s. 201.15(4)(d) ~~s. 201.15(10)~~ and the denominator of which is the total amount of funds distributed to the Local Government Housing Trust Fund pursuant to s. 201.15.

Section 21. Subsection (2) of s. 201.031, subsection (6) of s. 339.2818, subsection (5) of s. 339.2819, subsection (3) of s. 339.61, subsection (6) of s. 341.051, paragraph (e) of subsection (4) of s. 373.470, and subsection (1) of s. 420.9079, Florida Statutes, are reenacted for the purpose of incorporating the amendment made by this act to s. 201.15, Florida Statutes, in references thereto.

Section 22. This act shall take effect July 1, 2015.

THE FLORIDA SENATE
APPEARANCE RECORD

TAB 1

2/18/2015

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

576
SB 0584

Bill Number (if applicable)

Topic Amendment 1

Amendment Barcode (if applicable)

Name Deborah Green

Job Title President, Orange Audubon Society

Address

Street

Longwood

FL

32779

City

State

Zip

Phone

Email watermediaservices@mac.com

Speaking:



For



Against



Information

Waive Speaking:



In Support



Against

(The Chair will read this information into the record.)

Representing Wakulla Springs Alliance; Florida's Water and Land Legacy

Appearing at request of Chair:



Yes



No

Lobbyist registered with Legislature:



Yes



No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/2015

Meeting Date

TAB 1

576
SB 0584

Bill Number (if applicable)

Topic Amendment 1

Amendment Barcode (if applicable)

Name Will Abberger

Job Title Chairman, Florida's Water & Land Legacy

Address _____

Street

Tallahassee

City

FL

State

32312

Zip

Phone (850) 222-7911 x 23

Email will.abberger@tpl.org

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida's Water & Land Legacy

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/15

Meeting Date

SB 576 ~~576~~
Bill Number (if applicable)

Topic Land Acquisition Trust Fund

Amendment Barcode (if applicable)

Name Mark Perry

Job Title Executive Director, Florida Oceanographic

Address 890 NE Ocean Blvd

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FL

State

34996

Zip

Email mperry@floridaocean.org

Speaking: ☐ For ☐ Against ☒ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Oceanographic, Rivers & Atoms

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/15
Meeting Date

576
Bill Number (if applicable)

Topic Senate Bill ~~586~~ 576

Amendment Barcode (if applicable)

Name Nacia Mader (River Kidz)

Job Title Student Pine School, Martin Co.

(Mom - Mic Mader)

Address 106 Abbie Court

Phone 772 341 3292

Street Stuart State FL Zip 34996

Email _____

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing River Kidz / Rivers Coalition *www.rivers
coalition.org

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-18-15

Meeting Date

5B576

Bill Number (if applicable)

Topic Water and Land Conservation Trust

Amendment Barcode (if applicable)

Name Debbie HARRISON Rumberger

Job Title Legislative Liaison

Address 2544 Beverly Court

Street

Boca Raton FL

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State

Zip

Phone 850-224-2454

Email lwvfraducce@gmail.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida League of Women Voters

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/2015

Meeting Date

576
SB 0584

Bill Number (if applicable)

Topic Amendment 1

Amendment Barcode (if applicable)

Name Jim Stevenson

Job Title Vice Chair, Wakulla Springs Alliance

Address

Street

Tallahassee

FL

32303

City

State

Zip

Phone (850) 556-3072

Email florida_springs@comcast.net

Speaking: ☒ For ☐ Against ☐ InformationWaive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Wakulla Springs Alliance; Florida's Water and Land Legacy

Appearing at request of Chair: ☐ Yes ☐ NoLobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

TAB 5

Feb 18, 2015

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

584

Bill Number (if applicable)

Topic Implementation of Water & Land Legacy Act

Amendment Barcode (if applicable)

Name Janet Bowman (Janet Bowman)

Job Title Director of Legislative Policy & Strategies

Address 236 E. 5th Avenue
Street

Phone 251-9406

Tall
City

FL
State

32301
Zip

JANET-BOWMAN@

Email TNLS@
FOR INFO

Speaking: ☐ For ☐ Against ☒ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing The NATURAL CONSERVANCY

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

TAB 5

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/15

Meeting Date

SB 584

Bill Number (if applicable)

Topic

Public Access

Amendment Barcode (if applicable)

Name

Peggy Matthews

Job Title

Education Specialist

Address

1520 Big Sky Way

Street

Phone

250 5666778

City

Tallah

State

FL

Zip

32317

Email

mathewsp@fla.gov

Speaking:

☒

For

☐

Against

☐

Information

Waive Speaking:

☐

In Support

☐

Against

(The Chair will read this information into the record.)

Representing

Greenways & Trails Foundation

Appearing at request of Chair:

☐

Yes

☒

No

Lobbyist registered with Legislature:

☒

Yes

☐

No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

TAB 6

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/15

Meeting Date

586

Bill Number (if applicable)

399872

Amendment Barcode (if applicable)

Topic Affordable Housing Trust Funds

Name Scott Jenkins

Job Title SVP, State Government Relations Director

Address 150 S. Monroe St. Ste 305

Phone 850-320-1053

Street

Tallahassee

FL

32301

City

State

Zip

Email christopher.s.jenkins@wellsfargo.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing WELLS FARGO

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD



(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/2015

Meeting Date

SB586

Bill Number (if applicable)

399872

Amendment Barcode (if applicable)

Topic in support of Smith Amendment #399872

Name Zayne Smith

Job Title Associate State Director of Advocacy

Address 200 W. College Ave. Suite 304

Street

Tallahassee

City

FL

State

32301

Zip

Phone 850-577-5163

Email zsmith@aarp.org

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing AARP Florida

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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This form is part of the public record for this meeting.

S-001 (10/14/14)

TAB 6

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-18-15

Meeting Date

58 586

Bill Number (if applicable)

399872

Amendment Barcode (if applicable)

Topic TRUST FUNDS

Name DOUGLAS BUCK

Job Title _____

Address PO Box 259

Street

Tallahassee

City

FL

State

32301

Zip

Phone 224-4316

Email dbuck@fhba.com

Speaking: ☒ For ☐ Against ☐ Information

AMENDMENT

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing FLORIDA HOME BUILDERS ASSOC

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/15

Meeting Date

386

Bill Number (if applicable)

399872

Amendment Barcode (if applicable)

Topic _____

Name ALC COHEN

Job Title SR

Address 5150 N.E.T DR
Street

Phone 813-484-7613

TAMPA FL 33634
City State Zip

Email COHEN@ALANINCOHEN.COM

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing SB586 w/ AMENDMENT ONLY

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/15

Meeting Date

586 w/ The Smith
Bill Number (if applicable)

~~399872~~ amendment
Amendment Barcode (if applicable)

399872

Topic _____

Name Ronnette Smith

Job Title Residential Sales and Marketing Manager

Address 655 N. Franklin St. Ste #200

Street

Tampa
City

FL
State

33602
Zip

Phone 813-281-8888

Email Ronnette.Smith@wilsoncompany.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing FAA w/ amendment only

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-18-15

Meeting Date

586

Bill Number (if applicable)

399872

Amendment Barcode (if applicable)

Topic SADOWSKI - DOC STAMP Revenue

Name JORDAN PETRAS

Job Title PROPERTY MANAGER

Address 9902 BRAMPTON DRIVE
Street

Phone 813-340-8768

TAMPA
City

FL
State

33626
Zip

Email jordanpetras@earthlink.net

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing FLORIDA ART ASSOCIATION

W/ Amendment

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

02/18/15

Meeting Date

586

Bill Number (if applicable)

399872

Amendment Barcode (if applicable)

Topic Rep Sen. Bill 586

Name Tyra Midili

Job Title Sales

Address 12703 Barrett Drive

Street

Tampa

City

FL

State

33624

Zip

Phone (813) 484-5790

Email tmidili

Speaking: ☒ For ☐ Against ☐ Information
coming w/ Amendment 399872

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Bay Area Apartment Association

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/2015
Meeting Date

586
Bill Number (if applicable)

Topic Senate Bill 586 Amendment 399872 Amendment Barcode (if applicable) 399872

Name Debra DeSmidt

Job Title Area Mgr

Address 14430 Bartley Field Dr.
Street

Phone 727-510-5762

Wimauma, FL 33598
City State Zip

Email desmidt2012@

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Only with Amendment 399872
Representing Florida Apartment Assoc.

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-18-15
Meeting Date

#586
Bill Number (if applicable)

399872
Amendment Barcode (if applicable)

Topic Senate Bill 586

Name Elizabeth Collins

Job Title Compliance Director

Address 13616 Clubside Dr

Street

Tampa, FL 33624

City

State

Zip

Phone 813-963-2055

Email ekirschner@verizon.net

Speaking: ☒ For ☐ Against ☐ Information

Only w/ Amendment

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing BAAAC Bay Area Apartment Association

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2.18.14

Meeting Date

SB 584

Bill Number (if applicable)

399872

Amendment Barcode (if applicable)

Topic AMENDMENT 1 IMPLEMENTATION

Name MEGAN SIRYANE-SAMPLES

Job Title LEGISLATIVE ADVOCATE

Address P.O. BOX 1757

Street

TALLAHASSEE

City

FL

State

32301

Zip

Phone 850.701.3455

Email _____

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against

(The Chair will read this information into the record.)

OF THE AMENDMENT

Representing FLORIDA LEAGUE OF CITIES

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-18-14

Meeting Date

586

Bill Number (if applicable)

399872

Amendment Barcode (if applicable)

Topic ASF Housing Doc Stamps

Name Barbara Inman

Job Title President/CEO

Address 2605 Enterprise Rd

Street

Clearwater FL

City

State

33759

Zip

Phone 727-742-9616

Email ceo@habitat
florida.org

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Habitat For Humanity of Florida

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/15

Meeting Date

SB 586

Bill Number (if applicable)

399872

Amendment Barcode (if applicable)

Topic SADOWSKI TRUST / AMEND 1

Name KEVIN SCHWARTZ

Job Title CONSULTANT

Address 7100 SUNSHINE SKYWAY LANE # 707

Street

ST. PETER

City

FL

State

33711

Zip

Phone 727-240-6934

Email KEVIN@BAAAHQ.ORG

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against

(The Chair will read this information into the record.)

Representing SB 586 w/AMENDMENT ONLY SELF

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/15

Meeting Date

SB 0586

Bill Number (if applicable)

Topic Implementation of the Water and Land Conservation Constitutional Amendment

399872

Amendment Barcode (if applicable)

Name Kenneth Pratt

Job Title Senior VP of Governmental Affairs

Address 1001 Thomasville Rd, Ste. 201

Street

Phone 850-224-2265

Tallahassee

City

FL

State

32303

Zip

Email kpratt@floridabankers.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Bankers Association

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/15

Meeting Date

5860

Bill Number (if applicable)

757-398 (Smith)

Amendment Barcode (if applicable)

Topic Amendment 1

Name Katie Kelly

Job Title _____

Address _____

Street

Phone _____

City

State

Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Chamber of Commerce

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/18/16
Meeting Date

536
Bill Number (if applicable)

399872
Amendment Barcode (if applicable)

Topic Smith Amendment

Name W. John Padrega

Job Title PRESIDENT, CEO

Address 3401 Capital Medical Blvd

Street

Tallahassee

City

FL

State

32308

Zip

Phone 850-205-1111

Email John@4inof.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

of the Amendment

Representing Florida Apartment Association

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/14
Meeting Date

586
Bill Number (if applicable)
399782
Amendment Barcode (if applicable)

Topic _____

Name Seth Lavender

Job Title Regional Sales Director

Address 1900 Centre Pointe Blvd
Street

Phone 404 226-2812

Tallahassee FL 32308
City State Zip

Email slavender@maricopa
drapery.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing FAA Florida Apt Association

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/15
Meeting Date

SB 586
Bill Number (if applicable)

399872
Amendment Barcode (if applicable)

Topic Smith Amendment - Funding Indigent Housing Trust Fund

Name Brian Bazinet

Job Title Publisher

Address 8328 Elna Drive
Street

Phone 352-224-8394

Tallahassee FL 82312
City State Zip

Email Bbazinet@nci.com

Speaking: ☒ For ☐ Against ☐ Information
Smith Amendment

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Apartment Assoc

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/15

Meeting Date

SB 586

Bill Number (if applicable)

399872

Amendment Barcode (if applicable)

Topic Smith amendment - funding Sadowsky Housing Trust Fund

Name J. Gary Cherry, Jr.

Job Title Owner - Cherry Investments

Address 9036 Mairfield Court

Street

Tallahassee

City

FL

State

32312

Zip

Phone 850-556-2514

Email j.gary.cherry@comcast.net

Speaking: ☒ For ☐ Against ☐ Information

(The amendment)

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

of amendment

Representing Florida Apartment Association

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-18-15

Meeting Date

SB 586

Bill Number (if applicable)

399872

Amendment Barcode (if applicable)

Topic Smith Amendment - funding Sadowski

Name Jen Allen - VP of operations

Job Title President of Capital City Apt. Association

Address 614 W Madison Street # 301

Street

Phone (404) 900-5688

Tallahassee

City

FL

State

32304

Zip

Email president@ccaaf1.org

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Apartment Association

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____

SB 586
Bill Number (if applicable)

399822
Amendment Barcode (if applicable)

Topic Am 1

Name MIKE TEEDS

Job Title RES

Address 301 S CALHOUN
Street

Phone 850-561-5922

ALBUQUERQUE NM 32301
City State Zip

Email mike.teeds@chamber.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Am BC 399822
Representing Bank of America

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-18-15

Meeting Date

586

Bill Number (if applicable)

399872

Amendment Barcode (if applicable)

Topic Affordable Housing Doc Stamps

Name Fely Curva, Ph.D.

Job Title Partner, Curva & Associates LLC

Address 1212 Piedmont Dr.

Street

Phone (850) 508-2256

Tallahassee

City

FL

State

32312

Zip

Email curva@mindspring.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida IMPACT & the Council of Churches

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/15
Meeting Date

SB 586
Bill Number (if applicable)

Topic IMPLEMENTATION OF THE WATER & LAND CONSERVATION Amendment Barcode (if applicable) 399872

Name LARRY WILLIAMS

Job Title ATTORNEY

Address 215 SOUTH MONROE SUITE 601
Street

Phone 850 521-1980

TALLAHASSEE FL 32301
City State Zip

Email LWILLIAMS@GUNTER.COM

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing COALITION OF AFFORDABLE HOUSING PROVIDERS

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/15

Meeting Date

SB 586

Smith Amendment

Bill Number (if applicable)

399872

Amendment Barcode (if applicable)

Topic _____

Name Jaimie Ross

Job Title President

Address 1367 E. Lafayette Street Suite C

Street

Tallahassee

City

FL

State

32301

Zip

Phone (850) 212-0587

Email ross@flhousing.org

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Housing Coalition, Inc.

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

TAB
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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/15
Meeting Date

SB 586
(Smith Amendment)
Bill Number (if applicable)

399872
Amendment Barcode (if applicable)

Topic _____

Name Trey Price

Job Title Public Policy Representative

Address 200 S. Monroe Street
Street
Tallahassee FL 32301
City State Zip

Phone (850) 224-1400

Email trey@floridarealtors.org

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Realtors

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____

586
Bill Number (if applicable) _____

Topic Amendment /

Amendment Barcode (if applicable) _____

Name Deborah Heller

Job Title Volunteer

Address 1060 S. US 1, #27

Phone 561.324.5773

Street

City

Vero Beach, FL 32962

State

Zip

Email _____

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

02/16/15

Meeting Date

Bill Number (if applicable)

Topic Amendment 1

Amendment Barcode (if applicable)

Name Gene Gibson

Job Title Attorney at Law

Address 2090 W 1st St

Street

Fort Myers Fla 33901

City

State

Zip

Phone 239-969-5493

Email egibson@egibson.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing CRCA

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/2015

Meeting Date

586

Bill Number (if applicable)

Topic Amendment 1

Amendment Barcode (if applicable)

Name Jim Stevenson

Job Title Vice Chair, Wakulla Springs Alliance

Address _____

Street

Tallahassee

City

FL

State

32303

Zip

Phone _____

Email _____

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/11/15
Meeting Date

586
Bill Number (if applicable)

Topic Amendment 1

Amendment Barcode (if applicable)

Name TREY PRICE

Job Title Public Policy Representative

Address 200 S. Monroe St
Street

Phone 224-1400

Tallahassee FL 32301
City State Zip

Email TreyP@Floridarealtors.org

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Realtors

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/15

Meeting Date

586 -

Bill Number (if applicable)

Topic Water - Amendment 1

Amendment Barcode (if applicable)

Name Bill McCollum

Job Title Former Attorney General

Address 600 Thistlewood Ct
Street

Phone 407-353-4640

Longwood, FL 32779
City State Zip

Email bill.mccollum@dentons.com

Speaking: ☒ For ☐ Against ☒ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

7A6

THE FLORIDA SENATE

APPEARANCE RECORD

2/18/15

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

586

Bill Number (if applicable)

Topic

Amendment Barcode (if applicable)

Name Jaimie Ross

Job Title President

Address 1347 E. Lafayette Street

Phone (850) 212-0587

Street

Tallahassee

FL

32301

Zip

Email jross@flhousing.org

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Housing Coalition

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/15
Meeting Date

586
Bill Number (if applicable)
399872
Amendment Barcode (if applicable)

Topic Implementation of Amendment 1

Name Ingrid Delgado

Job Title Associate for Social Concerns

Address 201 W. Park Ave
Street
Tallahassee FL 32301
City State Zip

Phone 850-205-6826

Email idelgado@flacathconf.org

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
★ on the Amendment ★
(The Chair will read this information into the record.)

Representing Florida Conference of Catholic Bishops

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

586
Bill Number (if applicable)

399872
Amendment Barcode (if applicable)

Meeting Date _____
Topic Work - Doc Stamps

Name Eric Poole

Job Title Asst. Leg. Director

Address 100 Monroe
Street

Phone _____

Tallahassee
City State Zip

Email epoole@flcourts.org

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

399872 Amendment
Representing Florida Assoc. Counties

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 08-2015

**A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF STUART, FLORIDA REQUESTING THE
SOUTH FLORIDA WATER MANAGEMENT DISTRICT
TO EXERCISE THE OPTION TO PURCHASE 46,000
ACRES FOR WATER STORAGE; PROVIDING FOR
PUBLICATION; PROVIDING AN EFFECTIVE DATE
AND FOR OTHER PURPOSES.**

* * * * *

WHEREAS, The St. Lucie River and Indian River Estuaries continue to be degraded by excessive freshwater discharges and nutrients carried and redirected by drainage canals constructed by the Central and Southern Flood Control project; and

WHEREAS, These releases of fresh water are causing significant negative impacts to the St. Lucie Estuary; and

WHEREAS, acquiring land south of Lake Okeechobee is critical because there is no place to store water for agricultural purposes other than within the lake itself. As long as the water continues to be stored within the lake, it cannot be sent south and this results in discharges into the estuary when the water is not needed or the lake levels grow too high.

WHEREAS, by creating the Everglades Agricultural Area Storage Reservoirs the South Florida Water Management District will improve the timing of environmental deliveries to the Water Conservation Areas; reduce damaging flood releases to the estuaries and meet Everglades Agricultural Area irrigation and Everglades natural system water demands; and

R08-2015

Recommend SFWD to exercise option to purchase land

WHEREAS, the South Florida Water Management District now has an option to buy 46,000 acres of land south of Lake Okeechobee from US Sugar. That option expires in October, 2015.

NOW, THEREFORE BE IT RESOLVED BY THE CITY OF STUART, FLORIDA, that:

SECTION 1: The Commission of the City of Stuart urges the South Florida Water Management District to exercise the option to purchase the land immediately to insure proper protection of the St. Lucie and Indian River Estuaries.

SECTION 2: This Resolution is effective upon adoption.

Commissioner Krauskopf offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner Clarke and upon being put to a roll call vote, the vote was as follows:

**KELI GLASS LEIGHTON, MAYOR
JEFFREY A. KRAUSKOPF, VICE MAYOR
TROY A. MCDONALD, COMMISSIONER
EULA R. CLARKE, COMMISSIONER
TOM CAMPENNI, COMMISSIONER**

YES	NO	ABSENT
X		
X		
X		
X		
X		

ADOPTED this 9th day of February, 2015.

ATTEST:

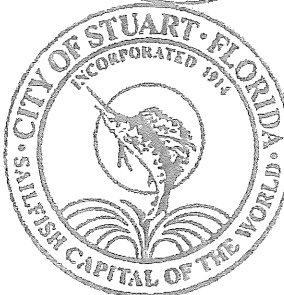
CITY OF STUART

CHERYL WHITE
CITY CLERK

JEFFREY A. KRAUSKOPF,
VICE MAYOR

APPROVED TO AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL
CITY ATTORNEY



**BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

RESOLUTION NUMBER 15-1.6

**A RESOLUTION OF THE MARTIN COUNTY BOARD OF COUNTY
COMMISSIONERS REQUESTING THAT THE GOVERNOR MOVE FORWARD
WITH THE ACQUISITION OF THE 46,000 ACRE US SUGAR PROPERTY.**

WHEREAS the Florida Everglades and its associated estuaries is an internationally unique ecosystem, a national treasure, and a significant economic driver for Florida's economy;

WHEREAS, the citizens of Florida and Martin County, in overwhelming majority, voted to support the Florida Water and Land Conservation Initiative, Amendment 1; and

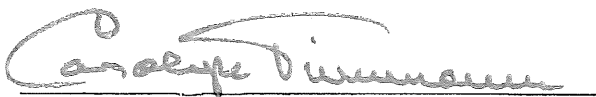
WHEREAS, the acquisition of the 46,000 acre US Sugar property, which was included as part of the option lands available under the 2008 "River of Grass" plan between US Sugar and the South Florida Water Management District, embodies the intent of Amendment 1; and

WHEREAS, acquisition of these key parcels increases water storage capacity; reduces harmful freshwater discharges from Lake Okeechobee; improves the delivery of cleaner water to the Everglades; protects water supply interests; and supports a healthier ecological environment for Lake Okeechobee and the associated estuaries;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Martin County, Florida, that the Board of County Commissioners urges Governor Scott, the Florida Department of Environmental Protection, and the South Florida Water Management District to support the remaining option to acquire the 46,000 acre US Sugar land option as part of the Everglades Restoration and to promote the health of Lake Okeechobee and the associated estuaries.

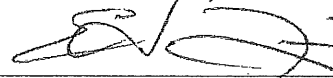
DULY PASSED AND ADOPTED THIS 13th DAY OF JANUARY, 2015.

ATTEST:



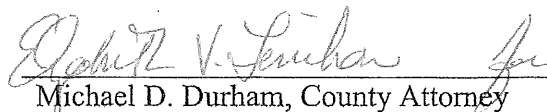
Carolyn Timmann
Clerk of the Circuit Court and County
Comptroller

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA



Ed Fielding, Chairman

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:


Michael D. Durham, County Attorney



P.O. Box 2627, Stuart, FL 34995

772-225-6849

RIVERS COALITION RESOLUTION SUPPORTING EAA LAND ACQUISITION

WHEREAS, the Florida Everglades and its associated estuaries are an internationally unique ecosystem, a national treasure and a significant economic driver for Florida's economy; and

WHEREAS, the citizens of Florida and Martin County, in overwhelming majority, voted to support the Florida Water and Land Conservation Initiative, Amendment 1; and

WHEREAS, additional land is needed to store water during the rainy season and eliminate harmful discharges from Lake Okeechobee to the Caloosahatchee and St. Lucie rivers and provide water supply for the natural system; and

WHEREAS, the acquisition of approximately 46,800 acres in the EAA, which was included as part of the option lands under the 2008 "River of Grass" plan, embodies the intent of Amendment 1; and

WHEREAS, the South Florida Water Management District has the opportunity through a legal option to purchase a 26,100-acre parcel of land, a part of the broader 46,800 acres, optimally located south of Lake Okeechobee, which can provide a cost effective water storage solution to help solve Florida's water crisis; and

WHEREAS, acquisition of these key parcels increases water storage capacity; reduces harmful freshwater discharges from Lake Okeechobee; improves the delivery of cleaner water to the Everglades; protects water supply interests; and supports a healthier ecological environment for Lake Okeechobee and the associated estuaries; and

WHEREAS, time is of the essence as the 26,100-acre parcel, is part of the broader US Sugar lands, whose option contract to purchase expires on October 12, 2015;

Therefore be it resolved:

The Rivers Coalition, representing 74 member organizations and over 300,000 Floridians, hereby overwhelmingly endorses and strongly urges Governor Rick Scott, the Florida Department of Environmental Protection and the South Florida Water Management District, to exercise the current option to acquire the remaining 48,000 acres of land for Everglades restoration and further urges the State of Florida to identify the funds necessary for purchase.

DULY PASSED AND ADOPTED THIS 10^H DAY OF FEBRUARY, 2015

Attested by Leon Abood, Chairman, Rivers Coalition



Everglades Coalition

EVERGLADES COALITION RESOLUTION SUPPORTING EAA LAND ACQUISITION

1000 Friends of Florida
Arthur R. Marshall Foundation
Audubon Florida
Audubon Society of the Everglades
Audubon of Southwest Florida
Caloosahatchee River Citizens
Association / Riverwatch
Center for Biological Diversity
Clean Water Action
Collier County Audubon Society
Conservancy of Southwest Florida
Defenders of Wildlife
Ding Darling Wildlife Society
Earthjustice
Environment Florida
Everglades Coordinating Council
Everglades Foundation
Everglades Law Center
Florida Conservation Alliance
Florida Defenders of the Environment
Florida Keys Environmental Fund
Florida Native Plant Society
Florida Oceanographic Society
Florida Wildlife Federation
Friends of the Arthur R. Marshall
Loxahatchee National Wildlife Refuge
Friends of the Everglades
Hendry Glades Audubon Society
Institute for Regional Conservation
Izaak Walton League Florida Division
Izaak Walton League Florida Keys Chapter
Izaak Walton League Mangrove Chapter
Izaak Walton League of America
Last Stand
League of Women Voters of Florida
Loxahatchee River Coalition
Martin County Conservation Alliance
National Audubon Society
National Parks Conservation Association
National Wildlife Federation
National Wildlife Refuge Association
Natural Resources Defense Council
Ocean Research & Conservation Association
Reef Relief
Sanibel-Captiva Conservation Foundation
Save It Now, Glades!
Sierra Club
Sierra Club Broward Group
Sierra Club Calusa Group
Sierra Club Central Florida Group
Sierra Club Florida Chapter
Sierra Club Loxahatchee Group
Sierra Club Miami Group
Snook and Gamefish Foundation
South Florida Audubon Society
Southern Alliance for Clean Energy
Tropical Audubon Society
The Urban Environment League of
Greater Miami

WHEREAS, restoration of the Greater Everglades Ecosystem is vital to protecting Florida's environment, economy, and drinking water supplies;

WHEREAS, restoration is reliant upon the ability to increase the quality, quantity, timing and distribution of freshwater flows from the Kissimmee River to Florida Bay;

WHEREAS, additional land is needed to store water during the rainy season and eliminate harmful discharges from Lake Okeechobee to the Caloosahatchee and St. Lucie rivers and provide water supply for the natural system;

WHEREAS, the South Florida Water Management District has the opportunity through a legal option to purchase a 26,100-acre parcel of land optimally located south of Lake Okeechobee, which can provide a cost effective water storage solution to help solve Florida's water crisis;

WHEREAS, time is of the essence as the contract to purchase 46,800 acres expires on October 12, 2015;

Therefore be it resolved:

The Everglades Coalition, with 56 organizations dedicated to the full protection and restoration of the Greater Everglades ecosystem, hereby endorses and strongly supports the purchase of 46,800 acres of land south of Lake Okeechobee for Everglades restoration and coastal estuary protection.

And further be it resolved, that the Everglades Coalition hereby endorses and strongly urges the State of Florida to identify necessary funds to purchase the 46,800 acres that will assist in reducing harmful discharges to estuaries, improve the health of Lake Okeechobee and increase flow to the Everglades. These funding opportunities include but are not limited to: bonding, appropriations by the Florida Legislature, and use of resources allocated by the Florida Water and Land Legacy.

Approved December 30, 2014

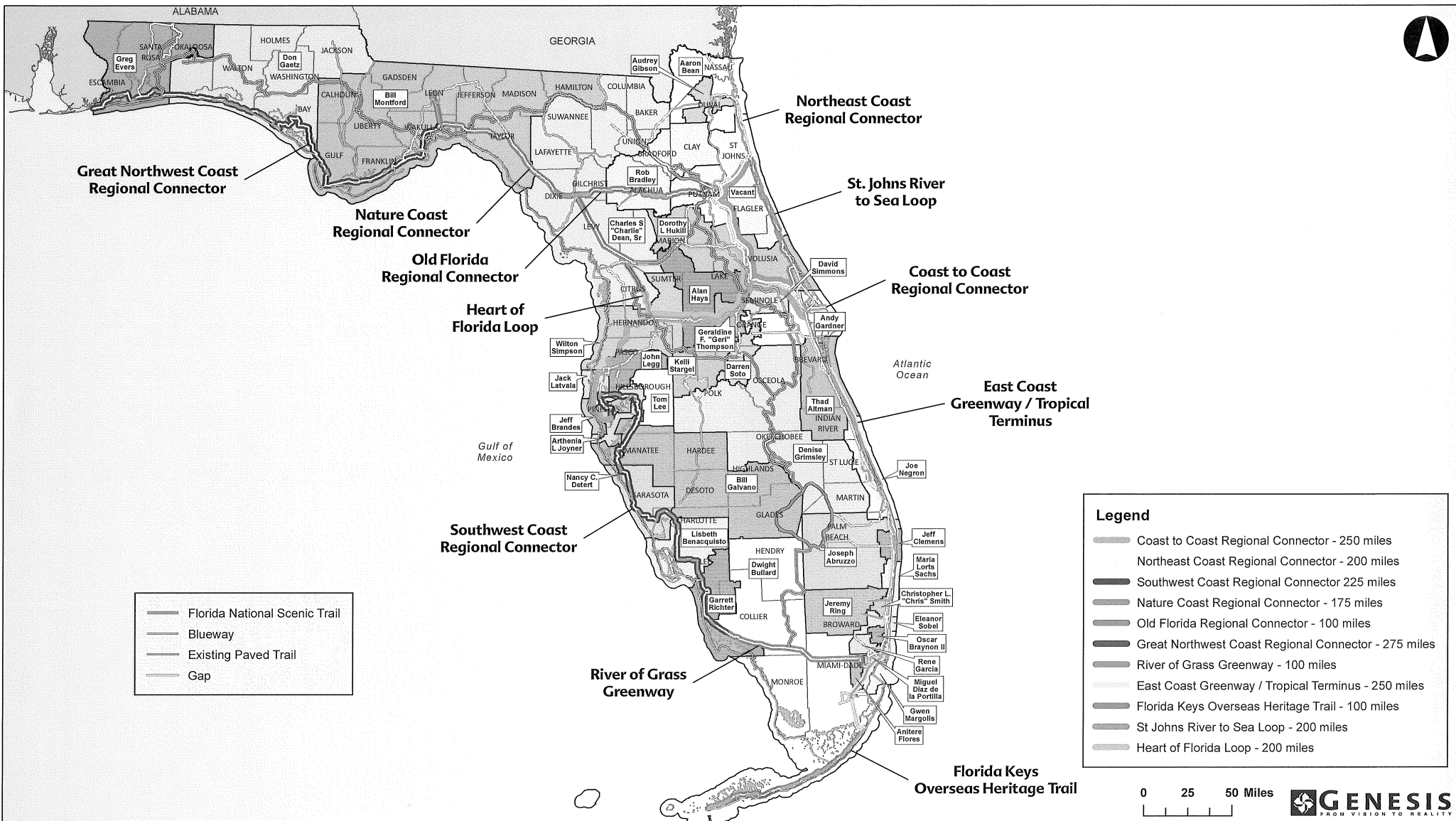
Cara Capp

Cara Capp
National Co-Chair

Jason Totoiu
State Co-Chair

ASA-APD AVERAGE SALARY BY YEARS
AS OF 11-19-2014

CIRCUIT	0-3 YRS OF	4-5 YRS OF	6-10 YRS	11-15 YRS	16-20 YRS	21-UP YRS	TOTAL	FTE
SA01	45,954	45,925	62,542	69,965	73,192	106,405	62,556	78
SA02	44,549	71,017	72,704	97,683	108,251	93,566	66,503	40
SA03	51,614	60,425	65,167	72,200			57,350	24
SA04	57,437	80,496	73,892	103,894	118,244	154,130	71,610	120
SA05	46,455	69,417	65,866	79,051	91,430	109,286	61,016	105
SA06	52,520	64,108	64,810	75,291	81,333	110,296	66,202	163
SA07	48,918	76,438	75,217	70,829	89,735	96,247	61,343	78
SA08	47,694	66,171	52,059	63,526	67,742	102,138	58,456	49
SA09	49,774	56,136	64,110	76,155	89,167	110,323	57,608	155
SA10	52,333	60,455	66,891	83,493	82,744	105,715	67,374	94
SA11	45,705	57,845	69,120	83,035	88,968	106,353	60,997	317
SA12	47,636	57,215	68,102	83,634	103,320	106,599	64,205	75
SA13	47,961	64,446	76,381	88,913	87,651	104,276	67,385	129
SA14	56,650	73,261	77,700			96,403	69,547	29
SA15	53,574	60,609	75,927	72,420	82,960	99,181	67,707	111
SA16	63,397	69,983	72,266	89,400		140,900	71,632	19
SA17	45,749	56,396	62,539	76,761	89,418	101,108	64,232	212
SA18	50,588	55,492	62,731	73,555	94,230	97,295	65,973	114
SA19	49,878	68,046	63,266	83,125	90,146	128,701	73,264	55
SA20	51,400	57,624	65,490	82,195	91,117	125,341	64,441	121
TOTAL	49,400	62,519	67,567	80,333	89,857	109,474	64,975	2,088
PD01	52,074	55,050	59,772	65,300	55,083		54,361	59
PD02	50,093	60,538	66,440	70,748	71,821	76,605	60,097	37
PD03	51,250		101,000	67,310	84,000	90,220	63,732	18
PD04	45,222	67,518	60,200	67,667	76,782	82,503	55,568	79
PD05	48,311	57,282	69,030	66,322	75,700	100,017	57,970	63
PD06	50,558	54,629	58,278	66,800	77,044	92,856	60,194	117
PD07	49,048	60,400	75,223	66,400	73,667	77,673	61,393	62
PD08	50,657	62,884	64,687	61,745	63,243	70,795	59,732	39
PD09	49,381	58,373	63,500	77,733	76,500	82,000	53,928	139
PD10	45,165	53,200	60,324	62,385	73,942	83,071	58,922	61
PD11	52,091	59,859	66,689	88,552	92,206	103,494	64,542	181
PD12	48,121	69,949	59,408	67,348	73,939	64,584	59,626	43
PD13	47,055	62,082	68,602	68,380	72,788	93,500	55,421	117
PD14	52,100	55,377	61,683	90,409	73,271	84,280	68,442	23
PD15	50,622	59,039	63,494	69,670	68,468	92,476	60,293	94
PD16	58,513		59,731	70,096	98,596		62,230	18
PD17	44,614	64,653	63,784	74,577	71,209	103,327	58,454	139
PD18	52,078	60,870	60,824	66,964	70,482	86,685	60,824	59
PD19	48,262	55,450	65,331	89,000	93,050	132,500	58,704	35
PD20	50,771	61,500	62,250	83,500	76,400	106,000	56,937	82
PD02A	52,311	66,352	70,172	64,802	60,326	65,892	62,124	26
PD07A	45,521		61,925	61,500	55,500	77,831	62,652	21
PD10A	64,000	99,500	50,000	61,233	60,657	90,293	67,806	17
PD11A	56,800	71,000	81,943	70,090	92,077	104,759	77,522	16
PD15A	57,750	56,500	59,743	70,741	69,124	97,008	77,387	21
TOTAL	792	49,604	61,318	64,444	72,694	77	1,566	61,555



CourtSmart Tag Report

Room: LL 37

Caption: Senate Environmental Preservation

Case:

Judge:

Type:

Started: 2/18/2015 2:01:57 PM

Ends: 2/18/2015 3:23:42 PM

Length: 01:21:46

2:01:59 PM	Meeting Called to Order by Senator Dean
2:02:11 PM	Roll Call
2:02:36 PM	Opening Comments Senator Dean
2:04:44 PM	Tab 1 SB 576 Senator Dean
2:06:30 PM	Will Abbenger representing Florida's Water and Land Legacy
2:12:47 PM	Question from Senator Soto
2:12:52 PM	Response from Mr. Abbenger
2:14:16 PM	Deborah Green representing Orange Audubon/ Wakulla Springs Alliance
2:16:03 PM	Jim Stevenson representing Wakulla Springs Alliance
2:19:25 PM	Debbie Harrison Rumberger representing Florida League of Women Voters
2:21:21 PM	Naia Mader representing River Kidz
2:23:05 PM	Mark Perry representing Florida Oceanographic Rivers Coalition
2:25:39 PM	Debate on SB 576
2:26:40 PM	Closing Comments Senator Dean
2:27:03 PM	Roll Call on SB 576
2:27:10 PM	SB 576 Reported Favorably
2:27:26 PM	Tab 2 SB 578 Senator Dean
2:28:37 PM	Closing Comments Senator Dean
2:29:02 PM	Roll Call on SB 578
2:29:19 PM	SB 578 Reported Favorably
2:29:41 PM	Tab 3 SB 580 Senator Dean
2:30:10 PM	Closing Comments Senator Dean
2:30:31 PM	Roll Call on SB 580
2:30:39 PM	SB 580 Reported Favorably
2:30:47 PM	Tab 4 SB 582 Senator Dean
2:31:37 PM	Closing Comments on SB 582
2:31:54 PM	Roll Call on SB 582
2:32:01 PM	SB 582 Reported Favorably
2:32:16 PM	Tab 5 SB 584 Senator Dean
2:33:45 PM	Question from Senator Soto
2:33:52 PM	Response from Senator Dean
2:35:12 PM	Follow-up from Senator Soto
2:36:36 PM	Response from Senator Dean
2:36:55 PM	Peggy Matthews Representing Greenways and Trails
2:39:43 PM	Janet Bowman Representing the Nature Conservancy
2:41:50 PM	Comment from Senator Dean
2:42:55 PM	Follow- up from Pepper Uchino
2:44:15 PM	Response from Ms. Bowman
2:45:38 PM	Senator Soto
2:46:21 PM	Question from Senator Altman
2:47:16 PM	Response from Senator Dean
2:47:47 PM	Follow-up from Senator Altman
2:48:30 PM	Response from Senator Dean
2:49:02 PM	Senator Altman
2:49:07 PM	Senator Dean
2:49:11 PM	Senator Simpson
2:49:39 PM	Senator Altman
2:50:18 PM	Senator Dean
2:51:08 PM	Senator Altman
2:51:15 PM	Senator Simpson
2:51:50 PM	Senator Dean
2:52:20 PM	Closing Comments Senator Dean

2:52:29 PM	Roll Call on SB 584
2:52:38 PM	SB 584 Reported Favorably
2:52:47 PM	Tab 6 SB 586 Senator Dean
2:54:12 PM	Amendment Barcode 757398 Senator Dean
2:54:37 PM	Substitute Amendment Barcode 399872 Senator Smith
2:55:48 PM	Trey Price,
2:56:02 PM	Jamie Rawls
2:58:32 PM	Larry Williams
2:59:43 PM	Dr. Fely Curva
2:59:58 PM	Mike Fields
3:00:04 PM	Jim Allen
3:00:19 PM	Gary Williams
3:00:28 PM	Brian Bazinet
3:00:40 PM	Seth Lavender
3:00:44 PM	John Fabrega
3:00:52 PM	Katie Kelly
3:00:58 PM	Kenneth Pratt
3:01:00 PM	Kevin Short
3:01:06 PM	Habitat for Humanity
3:01:17 PM	Elizabeth Collins
3:01:35 PM	Debra deSchmidt
3:01:50 PM	Tyra Midili
3:01:59 PM	Jordan Petras
3:02:02 PM	Douglas Buck
3:02:14 PM	Zayne Smith
3:02:20 PM	Scott Jenkins
3:02:25 PM	Eric Poole
3:02:29 PM	Debate from Senator Soto
3:03:22 PM	Senator Hays
3:04:36 PM	Senator Smith
3:06:00 PM	Amendment Barcode 399872 Withdrawn
3:06:20 PM	Closing of Amendment Barcode 757398
3:06:35 PM	Amendment Barcode 757398 Adopted
3:07:04 PM	Jamie Rawls
3:07:27 PM	Bill McCollum
3:13:14 PM	Ingrid Delgado
3:13:19 PM	Trey Price
3:13:23 PM	Jim Stevenson
3:13:27 PM	Gene Gibson
3:13:31 PM	Deborah Heller
3:17:05 PM	Debate from Senator Smith
3:17:26 PM	Debate from Senator Hays
3:19:59 PM	Senator Soto
3:21:03 PM	Closing on SB 586 from Senator Dean
3:21:25 PM	Roll Call on SB 586
3:22:34 PM	CS for SB 586 Reported Favorably
3:22:57 PM	Senator Dean
3:23:32 PM	Meeting Adjourned