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A bill to be entitled
An act relating to the Florida Forever Program;
creating s. 259.202, F.S.; providing for the
Florida Forever Program Act; providing
legislative findings and intent relating to the
acquisition of lands for conservation,
ecosystem restoration, recreation, water
resource and water supply development, and
urban green space and recreational
opportunities; providing a process for
surplusing Florida Forever lands; authorizing
the sale of up to \$3 billion in bonds to
implement the Florida Forever Program;
providing for alternatives to fee simple
acquisitions, providing a limitation on such
acquisitions; providing a funding mechanism for
the State Lands Management Trust Fund, which is
to be created by general law; providing for the
continuation of existing debt service payments
for prior bond issues; providing uses for the
State Lands Management Trust Fund; creating the
Preservation 2000 Program Review Study
Commission; providing for membership of the
commission and its duties; requiring a report;
providing an appropriation; amending s.
259.032, F.S.; revising eligibility
requirements for payments in lieu of taxes;
providing for payments in lieu of taxes to
school boards, as well as to Glades County to
compensate the county for its tax loss due to
the opening of a prison; amending s. 259.041,

1 F.S.; authorizing the Division of State Lands
2 to use appraisal reports provided by nonprofit
3 organizations or public agencies; amending s.
4 259.101, F.S.; requiring the Department of
5 Environmental Protection to fund certain fixed
6 capital outlay projects; requiring the
7 Southwest Florida Water Management District to
8 fund water supply development activities;
9 providing a limitation and requirements;
10 requiring the South Florida Water Management
11 District to fund Everglades restoration;
12 requiring an extraordinary vote of the Board of
13 Trustees of the Internal Improvement Trust Fund
14 before an acquisition may be made in a county
15 having more than 35 percent of its lands in
16 public ownership; providing a limitation on the
17 acquisition of projects using less than fee
18 acquisition alternatives; delaying the
19 redistribution of certain funds; revising
20 accounting procedures relating to a
21 redistribution of certain Preservation 2000
22 moneys; amending s. 373.59, F.S.; revising
23 eligibility requirements for payments in lieu
24 of taxes; providing for payments in lieu of
25 taxes to school boards; authorizing the Board
26 of Trustees of the Internal Improvement Trust
27 Fund to transfer specified lands to Walton
28 County at a specified price, providing
29 limitations on the use of those lands; amending
30 s. 253.82, F.S.; providing for all
31 transportation easements acquired under the

1
2 Murphy Act to be conveyed to the Department of
3 Transportation or the governmental entity
4 currently having title to the adjacent roadway;
5 requiring the establishment of a procedure for
6 review of deeds containing transportation
7 reservations acquired under the Murphy Act;
8 setting requirements for the review process;
9 providing for compensation of certain property
10 owners when the reservation denies current
11 economic use of the property; providing for
12 mediation or arbitration; amending s. 380.504,
13 F.S.; revising the membership of the governing
14 body of the Florida Communities Trust; amending
15 ss. 712.04, 712.05, F.S.; providing for the
16 release of certain easements held by
17 governmental entities; providing for
18 preservation of certain road easement
19 reservations pursuant to a road project
20 scheduled to begin within a specified period;
21 amending s. 201.15, F.S.; revising the amounts
22 of tax revenues to be distributed for debt
23 service on the Preservation 2000 Program and
24 the Florida Forever Program; providing an
25 effective date.

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

27
28 Section 1. Section 259.202, Florida Statutes, is
29 created to read:

30 259.202 The Florida Forever Program Act.--
31

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

3 (2) The Legislature finds and declares that:

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

10 (b) The potential development of Florida's remaining
11 natural areas and escalation of land values require a
12 continuation of government efforts to restore, bring under
13 public protection, or acquire lands and water areas to
14 preserve the state's invaluable quality of life.

15 (c) Florida's ground waters, surface waters, and
16 springs are under tremendous pressure due to population growth
17 and economic expansion and require special protection and
18 restoration efforts. To ensure that sufficient quantities of
19 water are available to meet the current and future
20 reasonable-beneficial uses and needs of the natural systems,
21 and to assist in achieving the planning goals of the
22 department and the water management districts, water resource
23 development projects on public lands, where compatible with
24 the resource values of and management objectives for such
25 lands, are appropriate. All lands acquired in the future under
26 the Florida Forever Program and other state land acquisition
27 programs may be used for water supply and water resource
28 development projects compatible with their resource values and
29 management objectives. Funds provided under the Florida
30 Forever Program shall not be used for the construction of
31 wells or pipeline facilities. As used in this legislation,

1 multiple use also includes public recreation, water supply,
2 water resource development projects, and sustainable forestry
3 management, where appropriate. As provided herein, permittable
4 water resource development and water supply development
5 projects may be allowed subject to complying with the
6 following: compliance with the established minimum flows and
7 levels, if any, for those waters potentially affected by the
8 project; compliance with all conditions for the issuance of
9 permits under part II of chapter 373; and consistency with the
10 Regional Water Supply Plan of the water management district,
11 if any.

12 (d) The availability of public hunting lands is being
13 reduced as more landowners are leasing their lands for private
14 hunting. Additional emphasis should be placed on the
15 acquisition and management of lands that will be open for
16 appropriate public hunting and wildlife management strategies.

17 (e) The needs of urban Florida for high-quality
18 outdoor recreational opportunities, greenways, trails, and
19 open space have not been fully met by previous acquisition
20 programs. Through such programs as the Florida Communities
21 Trust, the state shall place additional emphasis and increase
22 funding for acquiring, protecting, preserving, and restoring
23 open space, greenways and trails, and recreation properties
24 within urban areas where pristine natural communities or water
25 bodies no longer exist because of their proximity to developed
26 property.

27 (f) Access to public lands to support a broad range of
28 outdoor recreational opportunities and the development of
29 necessary infrastructure, where compatible with the resource
30 values of and management objectives for such lands, promotes
31

1 an appreciation for Florida's natural assets and improves the
2 quality of life.

3 (g) Acquisition of lands, in fee simple or in any
4 lesser interest, should be based on a comprehensive assessment
5 of Florida's natural resources and planned so as to protect
6 the integrity of ecological systems and to provide multiple
7 benefits, including preservation of fish and wildlife habitat,
8 recreation space for urban as well as rural areas, and water
9 recharge.

10 (h) The acquisition of lands needed to complete
11 projects undertaken under the Preservation 2000 program should
12 be emphasized, to enhance management efficiency and protect
13 extensive natural areas.

14 (i) Public agencies or other entities that receive
15 funds under this act are encouraged to better coordinate their
16 expenditures so that project acquisitions, when combined with
17 acquisitions under the Preservation 2000, Save Our Rivers, the
18 Florida Communities Trust, and other public land acquisition
19 programs, will form more complete patterns of protection for
20 natural areas and functioning ecosystems, to better accomplish
21 the intent of the Florida Forever Act.

22 (j) A long-term financial commitment to managing
23 Florida's public lands must accompany any new land acquisition
24 program to ensure that the natural resource values of such
25 lands are protected, that the public has the opportunity to
26 enjoy the lands to their fullest potential, and that the state
27 achieves the full benefits of its investment of public
28 dollars.

29 (k) Many of Florida's unique ecosystems such as the
30 Florida Everglades are facing ecological collapse due to
31 Florida's burgeoning population. To preserve these valuable

1 ecosystems for future generations, parcels of land must be
2 acquired to facilitate ecosystem restoration.

3 (1) An assessment of appropriate management strategies
4 for Florida Forever acquisitions should be completed early in
5 the acquisition process and should emphasize the development
6 of a management prospectus detailing the management goals for
7 the property; the conditions that will affect the intensity of
8 management; an estimate of the revenue-generating potential of
9 the property, if appropriate; a timetable for implementing the
10 various stages of management and for providing access to the
11 public, if applicable; provisions for protecting existing
12 infrastructure and for ensuring the security of the project
13 upon acquisition; the anticipated costs of management and
14 projected sources of revenue; and other information as
15 required pursuant to s. 259.032(9)(b)1. prior to the
16 acquisition of a project.

17 (3)(a) Any lands acquired pursuant to this program,
18 where title is vested in the Board of Trustees of the Internal
19 Improvement Trust Fund, may be disposed of by the board in
20 accordance with the procedures set forth in s. 253.034(6).
21 Lands whose titles vest in a water management district
22 governing board may be disposed of by the owning water
23 management district in accordance with the procedures set
24 forth in ss. 373.056 and 373.089. All agencies that hold title
25 to lands acquired under the Florida Forever Program shall
26 biennially evaluate their inventory of such lands to determine
27 whether any of the properties are suitable for surplus.

28 (b) Lands determined to be surplus pursuant to this
29 subsection shall be sold for fair market value, except that
30 the price of lands sold as surplus to a local government shall
31 not exceed the price paid by the state or a water management

1 district to originally acquire the lands and such lands shall
2 be used for public purposes.

3 (c) Before land can be determined to be of no further
4 benefit to the public as required by s. 253.034(6), or to be
5 no longer required for its purposes under s. 373.056(4), there
6 shall first be a determination by the Land Acquisition and
7 Management Advisory Council that such land no longer needs to
8 be preserved in furtherance of the intent of the Florida
9 Forever Program Act.

10 1. For lands proposed for surplus within the original
11 project boundaries or the core parcel there must be a finding
12 by the council that the land has no unique or high-quality
13 natural resources, is of low natural resource values, as
14 determined by a biological assessment or survey conducted by
15 the Florida Natural Areas Inventory or its successor, or is of
16 lower natural resource values than the land proposed to be
17 purchased with the proceeds from its sale. The board of
18 trustees shall review and approve or deny surplusings decisions
19 pursuant to this subparagraph.

20 2. For lands proposed for surplus located outside the
21 original project boundary the council shall presume that the
22 lands are to be surplused unless:

23 a. A biological assessment or survey conducted by the
24 Florida Natural Areas Inventory or its successor has
25 determined that the lands are of such quality that surplusings
26 should not be approved; or

27 b. The lead managing agency can provide sufficient
28 evidence that the loss of such lands would substantially harm
29 the purposes for which the land was purchased.
30

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1 3. Decisions regarding surplusing pursuant to
2 subparagraph 2. shall be reviewed and approved or denied by
3 the board of trustees.

4 (d) Requests for surplusing may be made by any public
5 or private entity or person. All requests are to be submitted
6 to the lead managing agency for review and recommendation to
7 the council. Lead managing agencies shall have 90 days to
8 review such requests and make recommendations. Any surplusing
9 requests that have not been acted upon within the requirements
10 of this paragraph shall be immediately scheduled for hearing
11 at the next regularly scheduled council meeting.

12 (e) Notwithstanding paragraphs (a)-(c), no such
13 disposition of land shall be made if such disposition would
14 have the effect of causing all or any portion of the interest
15 on any revenue bonds issued to fund the Florida Forever
16 Program Act to lose the exclusion from gross income for
17 purposes of federal income taxation. Any revenue derived from
18 the disposal of such lands may not be used for any purpose
19 except for deposit into the Florida Forever Trust Fund, the
20 Water Management Lands Trust Fund, or the appropriate local
21 government trust fund, depending on the entity that held title
22 to the land, for the acquisition of new lands which meet the
23 criteria pursuant to this section.

24 (f) Lands identified as suitable for surplus shall
25 first be offered to local governmental entities for a period
26 of 90 days. Local governmental uses for such surplus lands may
27 include public schools, public libraries, fire or law
28 enforcement substations, and recreational centers. Local
29 governmental requests for surplus lands shall be expedited
30 throughout the surplusing process. State agencies shall have
31 the subsequent opportunity to acquire the surplus lands for a

1 period not to exceed 30 days after the offer to local
2 governments expires. Surplus properties in which governmental
3 agencies have expressed no interest shall then be available
4 for sale on the private market.

5 Section 2. The Legislature finds that the sale of
6 bonds to implement the Florida Forever Program is an
7 appropriate mechanism to meet the needs of future generations
8 to enjoy the outdoors and natural resources of Florida forever
9 and intends that the sale of up to \$3 billion in bonds be
10 authorized over the 10-year period beginning July 1, 2001, and
11 ending July 1, 2010.

12 Section 3. The Legislature finds that, with the
13 increasing pressures on the natural areas of this state, the
14 state must develop creative techniques to maximize the use of
15 acquisition and management moneys. The Legislature also finds
16 that the state's environmental land-buying agencies should be
17 encouraged to augment their traditional, fee simple
18 acquisition programs with the use of alternatives to fee
19 simple acquisition techniques. The Legislature also finds that
20 using alternatives to fee simple acquisition by public
21 land-buying agencies will achieve the following public policy
22 goals:

23 (1) Allow more lands to be brought under public
24 protection for preservation, conservation, and recreational
25 purposes at less expense using public funds.

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

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

1
2 Florida Forever projects to be acquired using alternatives to
3 fee simple acquisition, after meeting applicable selection
4 criteria, shall be ranked based on price, with the highest
5 priority given to projects for which the sellers are willing
6 to accept the greatest reduction below the appraised value of
7 the property. However, no projects using alternatives to fee
8 simple acquisition may be undertaken if the purchase price
9 exceeds two-thirds of the project's appraised value.

10 Section 4. The Legislature finds that sufficient funds
11 must be made available for management, maintenance, capital
12 improvements, and protection of lands acquired through the
13 Florida Forever and Preservation 2000 programs and other
14 programs for the acquisition of lands for conservation and
15 recreation. Therefore, effective July 1, 2000, new funds, not
16 including bond proceeds, which are credited to the
17 Conservation and Recreation Lands Trust Fund created pursuant
18 to section 259.032(2)(a), Florida Statutes, and the Water
19 Management Lands Trust Fund created pursuant to section
20 373.59(1), Florida Statutes, after payment of debt service
21 requirements for prior bond issues, shall be transferred to
22 the State Lands Management Trust Fund which is to be created
23 pursuant to general law. Moneys in the State Lands Management
24 Trust Fund shall be used for management, maintenance, and
25 capital improvements on recreation, conservation,
26 environmental, or water management lands, including, but not
27 limited to, those lands acquired with funds from the
28 Conservation and Recreation Lands Trust Fund, the Preservation
29 2000 Trust Fund, the Water Management Lands Trust Fund, or the
30 Water Resources Development Account. The trust funds may also
31 be used for water supply development and fixed capital outlay

1 projects to implement approved Surface Water Improvement and
2 Management plans. Up to 1.5 percent of the total deposits ever
3 deposited into the Water Resources Development Account, the
4 Conservation and Recreation Lands Trust Fund, the Water
5 Management Lands Trust Fund, the Preservation 2000 Trust Fund,
6 and the Florida Forever Trust Fund shall be reserved annually
7 in the State Lands Management Trust Fund for management,
8 maintenance, and capital improvements on eligible lands.

9 Section 5. Preservation 2000 Program Review Study
10 Commission.--

11 (1)(a) There is created the Preservation 2000 Program
12 Review Study Commission consisting of 15 members. The Governor
13 shall appoint five members of the commission. The President of
14 the Senate and the Speaker of the House of Representatives
15 each shall appoint five members, three of whom must be
16 legislative members. The membership of the commission shall
17 reflect a broad range of interests, including legislative
18 interests and expertise related to land restoration,
19 acquisition, and management, including, but not limited to,
20 persons with training in hydrogeology, wildlife biology,
21 engineering, real estate, and forestry management, and persons
22 with substantial expertise representing environmental
23 interests; agricultural and silvicultural interests; outdoor
24 recreational interests; and land development interests. Each
25 appointing authority shall consider gender and racial balance
26 in addition to particular expertise when making appointments.

27 (b) Each member of the commission may receive per diem
28 and expenses for travel, as provided in section 112.061,
29 Florida Statutes, while carrying out the official business of
30 the commission. No person who is or has been a lobbyist as
31 defined in section 112.3148, Florida Statutes, at any time

1 during the 24 months preceding the nomination with any entity
2 whose interests could be affected by recommendations of the
3 commission, shall be appointed.

4 (c) The commission is assigned, for administrative
5 purposes, to the Department of Environmental Protection.

6 (d) Appointments must be made by September 15, 1998,
7 and the commission's first meeting must be held by October 15,
8 1998. The commission shall exist until August 31, 1999. The
9 Study Commission shall designate which of its members will
10 chair the commission.

11 (2) The study commission shall develop information and
12 recommendations based on its critical review and evaluation of
13 the Preservation 2000 Program that will assist the Legislature
14 in implementing the Florida Forever Act by determining:

15 (a) Appropriate modifications and funding levels for
16 the program or a similarly constituted program after June 30,
17 2000, especially for funding additional emphasis on open space
18 and recreation in urban areas.

19 (b) Appropriate changes in legislative policies for
20 managing conservation lands purchased with bond proceeds,
21 including, but not limited to:

- 22 1. Multiple uses of such lands;
23 2. Use for water supply purposes;
24 3. Use of state funds for management to assist local
25 governments in managing lands purchased for conservation and
26 recreation;
27 4. Use of state funds for management for exotic plant
28 control; and
29 5. Appropriate levels of funding to be allocated for
30 management of lands and the development of management plans.
31

1 (c) Appropriate circumstances for declaring lands to
2 be surplus and returning them to private or public use.

3 (d) Appropriate changes in legislative policies for
4 providing payment in lieu of taxes to local governments where
5 substantial public lands are removed from local tax rolls.

6 (e) Appropriate changes in legislative policies for
7 the acquisition of inholdings and additions to lands in state
8 ownership.

9 (f) Appropriate changes in legislative policies
10 relating to the involvement of local governments in
11 acquisition decisions for purchases within their boundaries,
12 including the possibility of allowing local governments to
13 have veto power over acquisitions in their jurisdiction where
14 public land ownership accounts for over 35 percent of the tax
15 roll.

16 (g) Appropriate strategies for evaluating the state's
17 progress in the acquisition of conservation and recreation
18 lands, to be based, in part, on a review of the "Florida
19 Preservation 2000 Needs and Priorities Addendum Report"
20 published by the department in December 1997.

21 (h) Appropriate changes in legislative policies
22 relating to land acquisition procedures.

23 (i) Appropriate changes in legislative policies
24 relating to funding categories to be eligible to receive bond
25 proceeds, and whether such categories should receive annual
26 allocations for each year of the funding program.

27 (j) Appropriate changes in legislative policies
28 relating to the use of the moneys for the funding of
29 alternative water supply projects by local governments and
30 regional water supply authorities, including the extent to
31 which these funds are to be matched.

1 (3) The Preservation 2000 Program Review Study
2 Commission shall submit a report of its findings and
3 recommendations to the Governor, the President of the Senate,
4 and the Speaker of the House of Representatives by September
5 1, 1999.

6 (4) There is hereby appropriated \$75,000 to the
7 Department of Environmental Protection from the Water
8 Management Lands Trust Fund for fiscal year 1998-1999 to fund
9 the activities of the study commission. Staff service needs of
10 the study commission shall be provided primarily by the
11 Department of Environmental Protection with staff assistance
12 also provided by other agencies that have received funding
13 from the Preservation 2000 Program.

14 Section 6. Subsection (12) of section 259.032, Florida
15 Statutes, is amended to read:

16 259.032 Conservation and Recreation Lands Trust Fund;
17 purpose.--

18 (12)(a) Beginning in fiscal year 1994-1995, not more
19 than 3.75 percent of the Conservation and Recreation Lands
20 Trust Fund shall be made available annually to the department
21 for payment in lieu of taxes to qualifying counties, cities,
22 and local governments as defined in paragraph (b) for all
23 actual tax losses incurred as a result of board of trustees
24 acquisitions for state agencies under the Florida Preservation
25 2000 Program and the Florida Forever Program during any year.
26 Reserved funds not used for payments in lieu of taxes in any
27 year shall revert to the fund to be used for land acquisition
28 in accordance with the provisions of this section.

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

30 1. To counties which levy an ad valorem tax of at
31 least 8.25 mills or the amount of the tax loss from all

1 completed Preservation 2000 and Florida Forever acquisitions
2 in the county exceeds 0.01 percent of the county's total
3 taxable value, and have a population of 100,000 ~~75,000~~ or
4 less.

5 2. To counties with a population of less than 100,000
6 which contain all or a portion of an area of critical state
7 concern designated pursuant to chapter 380 and to local
8 governments within such counties.

9 3. Beginning in fiscal year 1998-1999 and thereafter,
10 to school boards in counties with a population of 100,000 or
11 less which do not contain all or a portion of an area of
12 critical state concern designated pursuant to chapter 380 that
13 levy the maximum millage pursuant to s. 236.25(1) and (2) and
14 to school boards in counties with a population of less than
15 100,000 which contain all or a portion of an area of critical
16 state concern designated pursuant to chapter 380.

17 ~~4.3. For the 1997-1998 fiscal year only, and~~
18 Notwithstanding the limitations of paragraph (a), to Glades
19 County, where a privately owned and operated prison leased to
20 the state has been opened ~~within the last 2 years~~ for which no
21 other state moneys have been allocated to the county to offset
22 ad valorem revenues. ~~This subparagraph expires July 1, 1998.~~

23
24 For the purposes of this paragraph, "local government"
25 includes municipalities, the county school board, mosquito
26 control districts, and any other local government entity which
27 levies ad valorem taxes, with the exception of a water
28 management district.

29 (c) Payment in lieu of taxes shall be available to any
30 city which has a population of 10,000 or less and which levies
31 an ad valorem tax of at least 8.25 mills or the amount of the

1 tax loss from all completed Preservation 2000 and Florida
2 Forever acquisitions in the city exceeds 0.01 percent of the
3 city's total taxable value.

4 (d) If insufficient funds are available in any year to
5 make full payments to all qualifying counties, cities, school
6 districts, and local governments, such counties, cities,
7 school districts, and local governments shall receive a pro
8 rata share of the moneys available.

9 (e) The payment amount shall be based on the average
10 amount of actual taxes paid on the property for the 3 years
11 preceding acquisition, except the payment amount for school
12 boards in counties with a population of 100,000 or less which
13 do not contain all or a portion of an area of critical state
14 concern designated pursuant to chapter 380 shall be calculated
15 based only on the value of the millage levied pursuant to s.
16 236.25(1) and (2) on purchases completed after July 1, 1998.

17 Applications for payment in lieu of taxes shall be made no
18 later than January 31 of the year following acquisition. No
19 payment in lieu of taxes shall be made for properties which
20 were exempt from ad valorem taxation for the year immediately
21 preceding acquisition. If property which was subject to ad
22 valorem taxation was acquired by a tax-exempt entity for
23 ultimate conveyance to the state under this chapter, payment
24 in lieu of taxes shall be made for such property based upon
25 the average amount of taxes paid on the property for the 3
26 years prior to its being removed from the tax rolls. The
27 department shall certify to the Department of Revenue those
28 properties that may be eligible under this provision. Payment
29 in lieu of taxes shall be limited to a total of 15 ~~10~~
30 consecutive years of annual payments, beginning the year a
31 local government becomes eligible.

1 (f) Payment in lieu of taxes pursuant to this
2 paragraph shall be made annually to qualifying counties,
3 cities, school districts, and local governments after
4 certification by the Department of Revenue that the amounts
5 applied for are reasonably appropriate, based on the amount of
6 actual taxes paid on the eligible property, and after the
7 Department of Environmental Protection has provided supporting
8 documents to the Comptroller and has requested that payment be
9 made in accordance with the requirements of this section.

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

14 Section 7. Paragraph (f) is added to subsection (7) of
15 section 259.041, Florida Statutes, to read:

16 259.041 Acquisition of state-owned lands for
17 preservation, conservation, and recreation purposes.--

18 (7) Prior to approval by the board of trustees or,
19 when applicable, the Department of Environmental Protection,
20 of any agreement to purchase land pursuant to this chapter,
21 chapter 260, or chapter 375, and prior to negotiations with
22 the parcel owner to purchase any other land, title to which
23 will vest in the board of trustees, an appraisal of the parcel
24 shall be required as follows:

25 (f) The Division of State Lands may use, as its own,
26 appraisals obtained by a public agency or nonprofit
27 organization, provided that the appraiser is selected from the
28 division's list of appraisers and the appraisal is reviewed
29 and approved by the division. For the purposes of this
30 chapter, the term "nonprofit organization" means an
31 organization whose purposes include the preservation of

1 natural resources and which is exempt from federal income tax
2 under s. 501(c)(3) of the Internal Revenue Code.

3 Section 8. Paragraphs (a) and (b) of subsection (3) of
4 section 259.101, Florida Statutes, are amended, paragraph (h)
5 is added to subsection (4) of that section, and subsection (9)
6 of that section is amended to read:

7 259.101 Florida Preservation 2000 Act.--

8 (3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.--Less the
9 costs of issuance, the costs of funding reserve accounts, and
10 other costs with respect to the bonds, the proceeds of bonds
11 issued pursuant to this act shall be deposited into the
12 Florida Preservation 2000 Trust Fund created by s. 375.045.
13 Ten percent of the proceeds of any bonds deposited into the
14 Preservation 2000 Trust Fund shall be distributed by the
15 Department of Environmental Protection to the Department of
16 Environmental Protection for the purchase by the South Florida
17 Water Management District of lands in Dade, Broward, and Palm
18 Beach Counties identified in s. 7, chapter 95-349, Laws of
19 Florida. This distribution shall apply for any bond issue for
20 the 1995-1996 fiscal year. For the 1997-1998 fiscal year only,
21 \$20 million per year from the proceeds of any bonds deposited
22 into the Florida Preservation 2000 Trust Fund shall be
23 distributed by the Department of Environmental Protection to
24 the St. Johns Water Management District for the purchase of
25 lands necessary to restore Lake Apopka. The remaining proceeds
26 shall be distributed by the Department of Environmental
27 Protection in the following manner:

28 (a) Fifty percent to the Department of Environmental
29 Protection for the purchase of public lands as described in s.
30 259.032. Of this 50 percent, at least one-fifth shall be used
31 for the acquisition of coastal lands and one-tenth may be used

1 for fixed capital outlay projects to benefit lands acquired
2 for conservation and recreation.

3 (b) Thirty percent to the Department of Environmental
4 Protection for the purchase of water management lands pursuant
5 to s. 373.59, to be distributed among the water management
6 districts as provided in that section. The Southwest Florida
7 Water Management District must use at least 20 percent of its
8 annual allocation for water supply development activities.

9 However, such water supply development activities shall not
10 include the construction of wellfields or distribution
11 facilities. Whenever a water management district considers the
12 purchase of lands for water supply purposes, it must establish
13 as a priority the development of minimum flows and levels for
14 those lands pursuant to s. 373.042. The South Florida Water
15 Management District must use at least 20 percent of its annual
16 allocation for Everglades restoration activities.Funds
17 received by each district may also be used for acquisition of
18 lands necessary to implement surface water improvement and
19 management plans approved in accordance with s. 373.456 or for
20 acquisition of lands necessary to implement the Everglades
21 Construction Project authorized by s. 373.4592.

22
23 Local governments may use federal grants or loans, private
24 donations, or environmental mitigation funds, including
25 environmental mitigation funds required pursuant to s.
26 338.250, for any part or all of any local match required for
27 the purposes described in this subsection. Bond proceeds
28 allocated pursuant to paragraph (c) may be used to purchase
29 lands on the priority lists developed pursuant to s. 259.035.
30 Title to lands purchased pursuant to paragraphs (a), (d), (e),
31 (f), and (g) shall be vested in the Board of Trustees of the

1 Internal Improvement Trust Fund, except that title to lands,
2 or rights or interests therein, acquired by either the
3 Southwest Florida Water Management District or the St. Johns
4 River Water Management District in furtherance of the Green
5 Swamp Land Authority's mission pursuant to s. 380.0677(3),
6 shall be vested in the district where the acquisition project
7 is located. Title to lands purchased pursuant to paragraph
8 (c) may be vested in the Board of Trustees of the Internal
9 Improvement Trust Fund, except that title to lands, or rights
10 or interests therein, acquired by either the Southwest Florida
11 Water Management District or the St. Johns River Water
12 Management District in furtherance of the Green Swamp Land
13 Authority's mission pursuant to s. 380.0677(3), shall be
14 vested in the district where the acquisition project is
15 located. This subsection is repealed effective October 1,
16 2000. Prior to repeal, the Legislature shall review the
17 provisions scheduled for repeal and shall determine whether to
18 reenact or modify the provisions or to take no action.

19 (4) PROJECT CRITERIA.--

20 (h) In recognition that the state's land acquisition
21 programs may have a disproportionate impact on some counties,
22 no additional acquisition under the Preservation 2000 Program
23 may be undertaken in a county having more than 35 percent of
24 its land in public ownership without the approval of at least
25 five members of the Board of Trustees of the Internal
26 Improvement Trust Fund.

27 (9)(a) The Legislature finds that, with the increasing
28 pressures on the natural areas of this state, the state must
29 develop creative techniques to maximize the use of acquisition
30 and management moneys. The Legislature also finds that the
31 state's environmental land-buying agencies should be

1 encouraged to augment their traditional, fee simple
2 acquisition programs with the use of alternatives to fee
3 simple acquisition techniques. The Legislature also finds
4 that using alternatives to fee simple acquisition by public
5 land-buying agencies will achieve the following public policy
6 goals:

7 1. Allow more lands to be brought under public
8 protection for preservation, conservation, and recreational
9 purposes at less expense using public funds.

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

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

15
16 Therefore, it is the intent of the Legislature that public
17 land-buying agencies develop programs to pursue alternatives
18 to fee simple acquisition and to educate private landowners
19 about such alternatives and the benefits of such alternatives.
20 It also is the intent of the Legislature that the department
21 and the water management districts spend a portion of their
22 shares of Preservation 2000 bond proceeds to purchase eligible
23 properties using alternatives to fee simple acquisition.
24 Finally, it is the intent of the Legislature that public
25 agencies acquire lands in fee simple for public access and
26 recreational activities. Lands protected using alternatives
27 to fee simple acquisition techniques shall not be accessible
28 to the public unless such access is negotiated with and agreed
29 to by the private landowners who retain interests in such
30 lands.
31

1 **(b)** Projects to be acquired using alternatives to fee
2 simple acquisition, after meeting applicable selection
3 criteria, shall be ranked based on price, with the highest
4 priority given to projects for which the sellers are willing
5 to accept the greatest reduction below the appraised value of
6 the property. Extra consideration shall also be given to
7 projects that are joint acquisitions with other governmental
8 entities. However, no projects using alternatives to fee
9 simple acquisition may be undertaken if the purchase price
10 exceeds two-thirds of the project's appraised value.

11 **(c)**~~(b)~~ The Land Acquisition Advisory Council and the
12 water management districts shall identify, within their 1997
13 acquisition plans, those projects which require a full fee
14 simple interest to achieve the public policy goals, along with
15 the reasons why full title is determined to be necessary. The
16 council and the water management districts may use
17 alternatives to fee simple acquisition to bring the remaining
18 projects in their acquisition plans under public protection.
19 For the purposes of this subsection, the term "alternatives to
20 fee simple acquisition" includes, but is not limited to:
21 purchase of development rights; conservation easements;
22 flowage easements; purchase of timber rights, mineral rights,
23 or hunting rights; purchase of agricultural interests or
24 silvicultural interests; land protection agreements; fee
25 simple acquisitions with reservations; or any other
26 acquisition technique which achieves the public policy goals
27 listed in paragraph (a). It is presumed that a private
28 landowner retains the full range of uses for all the rights or
29 interests in the landowner's land which are not specifically
30 acquired by the public agency. Life estates and fee simple
31 acquisitions with leaseback provisions shall not qualify as an

1 alternative to fee simple acquisition under this subsection,
2 although the department and the districts are encouraged to
3 use such techniques where appropriate.

4 (d)~~(c)~~ Beginning in fiscal year 1996-1997, the
5 department and each water management district shall implement
6 initiatives to use alternatives to fee simple acquisition and
7 to educate private landowners about such alternatives. These
8 initiatives shall include at least two acquisitions a year by
9 the department and each water management district utilizing
10 alternatives to fee simple.

11 (e)~~(d)~~ The Legislature finds that the lack of direct
12 sales comparison information has served as an impediment to
13 successful implementation of alternatives to fee simple
14 acquisition. It is the intent of the Legislature that, in the
15 absence of direct comparable sales information, appraisals of
16 alternatives to fee simple acquisitions be based on the
17 difference between the full fee simple valuation and the value
18 of the interests remaining with the seller after acquisition.

19 (f)~~(e)~~ The public agency which has been assigned
20 management responsibility shall inspect and monitor any
21 less-than-fee-simple interest according to the terms of the
22 purchase agreement relating to such interest.

23 (g)~~(f)~~1. Pursuant to subsection (3) and beginning in
24 fiscal year 1999-2000 ~~1998-1999~~, that portion of the
25 unencumbered balances of each program described in paragraphs
26 (3)(c), (d), (e), (f), and (g) which has been on deposit in
27 such program's Preservation 2000 account for more than two
28 fiscal years shall be redistributed equally to the Department
29 of Environmental Protection's Division of State Lands P-2000
30 subaccount for the purchase of state lands as described in s.
31 259.032 and the Water Management District P-2000 subaccount

1 for the purchase of water management lands pursuant to ss.
2 373.59, 373.456 and 373.4592 ~~Conservation and Recreation Lands~~
3 ~~Trust Fund and the Water Management Lands Trust Fund~~. For the
4 purposes of this subsection, the term "unencumbered balances"
5 means the portion of Preservation 2000 bond proceeds which is
6 not obligated through the signing of a purchase contract
7 between a public agency and a private landowner, except that
8 the program described in paragraph (3)(c) may not lose any
9 portion of its unencumbered funds which remain unobligated
10 because of extraordinary circumstances that hampered the
11 affected local governments' abilities to close on land
12 acquisition projects approved through the Florida Communities
13 Trust program. Extraordinary circumstances shall be
14 determined by the Florida Communities Trust governing body and
15 may include such things as death or bankruptcy of the owner of
16 property; a change in the land use designation of the
17 property; natural disasters that affected a local government's
18 ability to consummate the sales contract on such property; or
19 any other condition that the Florida Communities Trust
20 governing board determined to be extraordinary. The portion of
21 the funds redistributed ~~deposited~~ in the Water Management
22 District P-2000 subaccount ~~Lands Trust Fund~~ shall be
23 distributed to the water management districts as provided in
24 s. 373.59(8)~~s. 373.59(7)~~.

25 2. The department and the water management districts
26 may enter into joint acquisition agreements to jointly fund
27 the purchase of lands using alternatives to fee simple
28 techniques.

29 (h)~~(g)~~ If the department or any water management
30 district is unable to spend the funds it receives pursuant to
31

1 paragraph~~(g)~~~~(f)~~ within the same fiscal year, the unspent
2 funds shall be carried forward to the subsequent fiscal year.

3 ~~(i)~~~~(h)~~ This subsection is repealed July 1 of the year
4 following the final authorization of Preservation 2000 bonds.

5 Section 9. Subsection (14) of section 373.59, Florida
6 Statutes, is amended to read:

7 373.59 Water Management Lands Trust Fund.--

8 (14)(a) Beginning in fiscal year 1992-1993, not more
9 than one-fourth of the land management funds provided for in
10 subsections (1) and (9) in any year shall be reserved annually
11 by a governing board, during the development of its annual
12 operating budget, for payment in lieu of taxes to qualifying
13 counties and school districts for actual ad valorem tax losses
14 incurred as a result of lands purchased with funds allocated
15 pursuant to s. 259.101(3)(b) and the Florida Forever Program.

16 In addition, the Northwest Florida Water Management District,
17 the South Florida Water Management District, the Southwest
18 Florida Water Management District, the St. Johns River Water
19 Management District, and the Suwannee River Water Management
20 District shall pay to qualifying counties and school districts
21 payments in lieu of taxes for district lands acquired with
22 funds allocated pursuant to subsection (8). Reserved funds
23 that are not used for payment in lieu of taxes in any year
24 shall revert to the fund to be used for management purposes or
25 land acquisition in accordance with this section.

26 (b) Payment in lieu of taxes shall be available to
27 counties for each year in which the levy of ad valorem tax is
28 at least 8.25 mills or the amount of the tax loss from all
29 completed Preservation 2000 and Florida Forever acquisitions
30 in the county exceeds 0.01 percent of the county's total
31 taxable value, and the population is 100,000 ~~75,000~~ or less

1 and to counties with a population of less than 100,000 which
2 contain all or a portion of an area of critical state concern
3 designated pursuant to chapter 380; and, beginning in fiscal
4 year 1998-1999, to school boards in counties with a population
5 of 100,000 or less which do not contain all or a portion of an
6 area of critical state concern designated pursuant to chapter
7 380 that levy the maximum millage pursuant to s. 236.25(1) and
8 (2) and to school boards in counties with a population of less
9 than 100,000 which contain all or a portion of an area of
10 critical state concern designated pursuant to chapter 380.

11 (c) If insufficient funds are available in any year to
12 make full payments to all qualifying counties and school
13 districts, such counties and school districts shall receive a
14 pro rata share of the moneys available.

15 (d) The payment amount shall be based on the average
16 amount of actual taxes paid on the property for the 3 years
17 immediately preceding acquisition, except the payment amount
18 for school boards in counties with a population of 100,000 or
19 less which do not contain all or a portion of an area of
20 critical state concern designated pursuant to chapter 380
21 shall be calculated based only on the value of the millage
22 levied pursuant to s. 236.25(1) and (2) on purchases completed
23 after July 1, 1998. For lands purchased prior to July 1, 1992,
24 applications for payment in lieu of taxes shall be made to the
25 districts by January 1, 1993. For lands purchased after July
26 1, 1992, applications for payment in lieu of taxes shall be
27 made no later than January 31 of the year following
28 acquisition. No payment in lieu of taxes shall be made for
29 properties which were exempt from ad valorem taxation for the
30 year immediately preceding acquisition. Payment in lieu of
31

1 taxes shall be limited to a period of 15 ~~10~~ consecutive years
2 of annual payments.

3 (e) Payment in lieu of taxes shall be made within 30
4 days after: certification by the Department of Revenue that
5 the amounts applied for are appropriate, certification by the
6 Department of Environmental Protection that funds are
7 available, and completion of any fund transfers to the
8 district. The governing board may reduce the amount of a
9 payment in lieu of taxes to any county or school district by
10 the amount of other payments, grants, or in-kind services
11 provided to that county or school district by the district
12 during the year. The amount of any reduction in payments shall
13 remain in the Water Management Lands Trust Fund for purposes
14 provided by law.

15 (f) If a district governing board conveys to a local
16 government title to any land owned by the board, any payments
17 in lieu of taxes on the land made to the local government
18 shall be discontinued as of the date of the conveyance.

19 Section 10. (1) Notwithstanding any provision to the
20 contrary in chapter 259 or chapter 253, Florida Statutes, the
21 Board of Trustees of the Internal Improvement Trust Fund,
22 pursuant to chapters 93-184 and 95-275, Laws of Florida, shall
23 convey the lands located in Walton County specifically
24 identified as the New Town, consistent with the Walton County
25 Comprehensive Plan, to Walton County at a price not to exceed
26 the price paid by the board for the lands plus any applicable
27 interest, if the disposition of the land would not have the
28 effect of causing all or any portion of the interest on any
29 revenue bonds issued to fund the Florida Preservation 2000
30 Trust Act to lose their exclusion from gross income for
31 purposes of federal income taxation. Any revenue derived from

1 the disposal of the lands may not be used for any purpose
2 except for deposit into the Florida Preservation 2000 Trust
3 Fund for recredit to the share held under section 259.101(3),
4 Florida Statutes, in which the disposed of land is described.

5 (2) The New Town Center shall be developed consistent
6 with the October 31, 1996, South Walton New Town Master Plan
7 of Development, incorporated in its entirety into the Walton
8 County Comprehensive Plan and Land Development Code.

9 (3) If any lands acquired by Walton County pursuant to
10 subsection (1) are resold to private interests, they must be
11 sold at fair market value and the proceeds from such resale
12 must be used exclusively for development of the New Town
13 Center, including its infrastructure and related school
14 facilities.

15 Section 11. Subsections (6), (7), and (8) are added to
16 section 253.82, Florida Statutes, to read:

17 253.82 Title of state or private owners to Murphy Act
18 lands.--

19 (6)(a) All reservations of easements on deeds by the
20 Board of Trustees of the Internal Improvement Trust Fund
21 conveying land acquired under chapter 18296, Laws of Florida,
22 1937, are hereby vested, by operation of law and without the
23 necessity of instruments of conveyance from the Board of
24 Trustees of the Internal Improvement Trust Fund, in the
25 governmental entity having right and title to the road to
26 which the reservations are adjacent. All reservations adjacent
27 to a road that was designated as a state road at the time of
28 the reservation, which road is currently held by the state,
29 are conveyed to the Department of Transportation. All
30 reservations adjacent to a road that was designated as a state
31 road at the time of the reservation, which road is located in

1 an unincorporated area of a county or owned by the county
2 within any incorporated area, are conveyed to the respective
3 county. Any other reservation within an incorporated area
4 adjacent to a road that was designated as a state road at the
5 time of the reservation, which reservation is not otherwise
6 conveyed to the state or the county, is conveyed to the
7 incorporated area. The conveyance includes all rights, title,
8 and interest in the reservation held by the Board of Trustees
9 of the Internal Improvement Trust Fund.

10 (b) Each entity that holds title to Murphy Act
11 reservations must establish a procedure for reviewing any deed
12 that contains a reservation when a review is requested or a
13 road project is anticipated. The review process must provide
14 for:

15 1. A determination of whether the language of the deed
16 created a reservation at the time of the original conveyance.

17 2. A review of any release of the reservation provided
18 by the property owner.

19 3. The recording of a notice of the nonexistence of a
20 reservation if reservation language in the deed does not
21 impact the property.

22 4. A determination of whether any or all of the
23 reservation may be released, and a form for recording the
24 release.

25 5. A process to allow for review through mediation if
26 requested by the property owner or through binding arbitration
27 under chapter 44.

28
29 Any fee charged may not exceed the actual cost to review the
30 deed, perform an appeal, and pay any recording expenses. Any
31 such fee may not exceed \$300.

1 (c)1. Any owner of property encumbered by a Murphy Act
2 reservation who has been denied a release of all or part of
3 the reservation or who has received notice of a governmental
4 entity's intent to preserve the reservation under s. 712.05,
5 may appeal to the entity and show that the reservation
6 substantially denies the property owner the current economic
7 use of the property held by the owner. For purposes of this
8 determination, the term "current economic use" means the use
9 of the property on the date notice of the easement is filed
10 under s. 712.05.

11 2. Upon a determination by the governmental entity
12 that the reservation substantially denies the property owner
13 the current economic use of the property held by the owner,
14 the governmental entity must purchase the real property and
15 improvements not retained by the property owner in fee simple
16 title or release all or part of the reservation as necessary
17 to allow for beneficial use of the property.

18 3. If the governmental entity and property owner are
19 unable to agree as to whether the reservation substantially
20 denies the current economic use of the property or as to the
21 purchase price, the property owner may request mediation or
22 binding arbitration under chapter 44 to resolve these issues.

23 4. Before the payment of any compensation, the
24 property owner must provide to the governmental entity copies
25 of any title insurance policies and notice of any compensation
26 received from a title company with respect to the easement.

27 (7) The process for release of any road reservation
28 covered by this section or payment for property impacted by
29 the use of a reservation covered by this section shall be
30 solely in accordance with this section. Any action for the
31

1 taking of property related to road construction is separate
2 and distinct from an action under this section.

3 (8) The governmental entity is not liable for
4 attorney's fees or costs incurred by the owner in establishing
5 the impact of the road reservation on the property.

6 Section 12. Subsection (1) of section 380.504, Florida
7 Statutes, is amended to read:

8 380.504 Florida Communities Trust; creation;
9 membership; expenses.--

10 (1) There is created within the Department of
11 Community Affairs a nonregulatory state agency and
12 instrumentality, which shall be a public body corporate and
13 politic, known as the "Florida Communities Trust." The
14 governing body of the trust shall consist of:

15 (a) The Secretary of Community Affairs, ~~and~~ the
16 Secretary of Environmental Protection, and the director of the
17 Division of Historical Resources in the Department of State;
18 and

19 (b) Three public members whom the Governor shall
20 appoint subject to Senate confirmation.

21
22 The Governor shall appoint a former elected official of a
23 local government, a representative of a nonprofit organization
24 as defined in this part, and a representative of the
25 development industry. The Secretary of Community Affairs may
26 designate his or her assistant secretary or the director of
27 the Division of Resource Planning and Management to serve in
28 his or her absence. The Secretary of Environmental Protection
29 may appoint his or her assistant executive director, the
30 deputy assistant director for Land Resources, the director of
31 the Division of State Lands, or the director of the Division

1 of Recreation and Parks to serve in his or her absence. The
2 Secretary of Community Affairs shall be the chair of the
3 governing body of the trust. The Governor shall make his or
4 her appointments upon the expiration of any current terms or
5 within 60 days after the effective date of the resignation of
6 any member.

7 Section 13. Section 712.04, Florida Statutes, is
8 amended to read:

9 712.04 Interests extinguished by marketable record
10 title.--Subject to the matters stated in s. 712.03, such
11 marketable record title shall be free and clear of all
12 estates, interests, claims, or charges whatsoever, the
13 existence of which depends upon any act, title transaction,
14 event or omission that occurred prior to the effective date of
15 the root of title. All such estates, interests, claims, or
16 charges, however denominated, whether such estates, interests,
17 claims, or charges are or appear to be held or asserted by a
18 person sui juris or under a disability, whether such person is
19 within or without the state, whether such person is natural or
20 corporate, or is private or governmental, are hereby declared
21 to be null and void, except that this chapter shall not be
22 deemed to affect any right, title, or interest of the United
23 States, Florida, or any of its officers, boards, commissions,
24 or other agencies reserved in the patent or deed by which the
25 United States, Florida, or any of its agencies parted with
26 title. However, all reservations of easements in deeds by the
27 Board of Trustees of the Internal Improvement Trust Fund
28 conveying land acquired under chapter 18296, Laws of Florida,
29 1937, shall be extinguished by the Marketable Record Title Act
30 on July 1, 2001, subject to the provisions of s. 712.03, and
31 further subject to the right of any governmental entity that

1 holds title to the reservations to preserve such reservations
2 that are necessary for future transportation projects in
3 adopted transportation plans by filing notice under s. 712.05,
4 before July 1, 2001.

5 Section 14. Subsection (3) is added to section 712.05,
6 Florida Statutes, to read:

7 712.05 Effect of filing notice.--

8 (3) Any governmental entity that claims a road
9 reservation pursuant to a deed conveyed under the Murphy Act
10 may preserve the reservation, or any portion thereof,
11 necessary for future transportation projects in adopted
12 transportation plans and protect the reservation from
13 extinguishment by the operation of this chapter by filing for
14 record, prior to July 1, 2001, a notice, in writing, in
15 accordance with this chapter. The notice shall preserve the
16 reservation or portion thereof for 10 years following the date
17 of record if the reservation is used or identified by the
18 governmental entity in the final design plans of a road
19 project scheduled for construction to begin before the end of
20 the 10-year period. Any reservation used or identified in the
21 final design plans of a road project scheduled for
22 construction to begin before the end of the 10-year period is
23 not extinguished.

24 Section 15. The Legislature finds that balancing
25 property interests of private citizens and governmental
26 entities is an important function of the Legislature.
27 Therefore, the Legislature finds that sections 11, 12, 13, and
28 14 of this act fulfill an important state interest.

29 Section 16. Paragraph (a) of subsection (1) of section
30 201.15, Florida Statutes, is amended to read:
31

1 201.15 Distribution of taxes collected.--All taxes
2 collected under this chapter shall be subject to the service
3 charge imposed in s. 215.20(1) and shall be distributed as
4 follows:

5 (1) Sixty-two and sixty-three hundredths percent of
6 the remaining taxes collected under this chapter shall be used
7 for the following purposes:

8 (a) Subject to the maximum amount limitations set
9 forth in this paragraph, an amount as shall be necessary to
10 pay the debt service on, or fund debt service reserve funds,
11 rebate obligations, or other amounts with respect to bonds
12 issued pursuant to s. 375.051 and payable from moneys
13 transferred to the Land Acquisition Trust Fund pursuant to
14 this paragraph shall be paid into the State Treasury to the
15 credit of the Land Acquisition Trust Fund to be used for such
16 purposes. The amount transferred to the Land Acquisition Trust
17 Fund shall not exceed \$90 million in fiscal year 1992-1993,
18 \$120 million in fiscal year 1993-1994, \$150 million in fiscal
19 year 1994-1995, \$180 million in fiscal year 1995-1996, \$210
20 million in fiscal year 1996-1997, \$240 million in fiscal year
21 1997-1998, \$270 million in fiscal year 1998-1999, and \$300
22 million in fiscal year 1999-2000 ~~and thereafter~~. After July 1,
23 2000, the amount transferred for prior debt service for the
24 Preservation 2000 Program and for new debt service for the
25 Florida Forever Program shall not exceed \$330 million in
26 fiscal year 2000-2001, \$360 million in fiscal year 2001-2002,
27 \$390 million in fiscal year 2002-2003, \$420 million in fiscal
28 year 2003-2004, \$450 million in fiscal year 2004-2005, \$480
29 million in fiscal year 2005-2006, \$510 million in fiscal year
30 2006-2007, \$540 million in fiscal year 2007-2008, \$570 million
31 in fiscal year 2008-2009, and \$600 million in fiscal year

1 2009-2010 and thereafter.No individual series of bonds may be
2 issued pursuant to this paragraph unless the first year's debt
3 service for such bonds is specifically appropriated in the
4 General Appropriations Act. No moneys transferred to the Land
5 Acquisition Trust Fund pursuant to this paragraph, or earnings
6 thereon, shall be used or made available to pay debt service
7 on the Save Our Coast revenue bonds.

8 Section 17. Sections 1, 2, 3, 4, and 15 of this act
9 shall take effect July 1, 2000, but only upon approval by the
10 electorate of a constitutional amendment permitting the sale
11 of bonds as provided by law for the purposes of conservation,
12 outdoor recreation, water resource development, restoration of
13 natural systems, and historic preservation, as provided in SB
14 528 or similar legislation. Otherwise, this act shall take
15 effect upon becoming a law.
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