

HOUSE MESSAGE SUMMARY

BILL: CS/CS/SB 908, 1st Eng. [S0908.HMS]
SPONSOR: Fiscal Policy Committee, Natural Resources Committee, and Senator Latvala and others
SUBJECT: Florida Forever Program
PREPARED BY: Senate Committee on Natural Resources
DATE: April 30, 1999

I. Amendments Contained in Message

House Amendment 1 - 814753 (body with title)

II. Summary of Amendments Contained in Message

House Amendment 1 authorizes the issuance of bonds up to \$300 million annually with debt service paid from documentary stamp tax revenues, but total debt service shall not exceed \$300 million for all bonds issued.

Funds will be distributed as follows:

- 35% (\$105 million) for water management district (WMD) projects. Over the life of the program, at least 50% of the funds must be used for land acquisition. Projects will be selected and approved by WMD governing boards from a 5-year work plan.
- 35% (\$105 million) for Conservation and Recreation Lands (CARL) projects. Up to 10% of the funds may be used for capital project expenditures. Projects will be approved by the board of trustees.
- 24% (\$72 million) for the Florida Communities Trust (FCT) (SB 908 provides \$60 million). 8% (\$5.76 million) of the FCT funding will be used for the Florida Recreation Development Assistance Program (FRDAP) (Not in SB 908). 30% of the FCT funding (\$21.6 million) will be used in SMSAs with ½ of that amount being used in built-up areas, while at least 5% (\$3.6 million) must be used for recreational trails.
- 1.5% (\$4.5 million) for the Division of Recreation and Parks, Fish and Wildlife Commission, and Division of Forestry for additions and inholdings. (SB 908 provides \$8.7 million)
- 1.5% (\$4.5 million) for the Greenways and Trails Program. (SB 908 provides \$3.9 million)

The distribution of documentary stamp tax proceeds has been revised, effective July 1, 2001, in order to address other pressing needs. The revised distributions will provide increased management capability for WMDs and the DEP; approximately \$5.4 million annually for lake restoration (SB 908 provides approximately \$7 million); approximately \$30 million to the Aquatic Plant Control Trust Fund for exotic plant control, 20% of which must be used for upland plant control (SB 908 provides \$5.4 million from documentary stamp tax proceeds for aquatic exotics

and approximately \$11 million for upland exotic plant control from the CARL TF); and approximately \$5.4 million to address water quality impacts of nonpoint sources of pollution.

Beginning July 1, 2001, documentary stamp tax proceeds may not be used by the WMDs and the DEP for land acquisition, as the Florida Forever Program is to be the state's primary source of acquisition funding.

The amendment provides for the Acquisition and Restoration Council (ARC) composed of 5 members of the Land Acquisition and Management Advisory Council and 4 members appointed by the Governor. The ARC will review management plans and recommend CARL-type projects to the board of trustees for the trustees' approval.

Also created is the Florida Forever Advisory Council comprised of 7 members appointed by the Governor, which will advise the ARC and develop recommended specific goals, performance measures, and selection processes. The recommendations will be presented to the 2001 Legislature for approval or modification. Other reports are required every two years that will provide recommendations for adjusting goals and funding distributions. (SB 908 does not create an advisory council.)

Other major features include:

- Provisions governing the disposition of conservation and other lands are revised to incorporate recent constitutional changes, open the process to requests from the public, and expedite the process. (SB 908 only addresses the constitutional changes.)
- Payments-in-lieu of taxes provisions are simplified, include more local governments, and include all counties with populations of 150,000 or less that meet a needs test (SB 908 only added certain school boards to the program).
- Water resource and water supply development projects are permitted only if minimum flows and levels have been established, permitting requirements are met, the project is consistent with the regional water supply plan and with strategies pursuant to s. 373.0421.
- Alternate uses of lands by linear facilities and other users are authorized if the board of trustees determines that specified criteria are met.
- Provisions are included authorizing the management of lands slated for acquisition by private parties through contractual arrangements funded by documentary stamp tax proceeds.
- Provisions from the Preservation 2000 Act encouraging less than fee acquisition are continued in the new program.
- The Florida Greenways and Trails program is revised to include waterways, and the Florida Greenways and Trails Council is created, and the Florida Greenways Coordinating Council and Florida Recreational Trails Council are abolished.

- Several provisions relating to the FCT are revised and its governing board is expanded to include a former elected official of a metropolitan municipal government.
- A process is provided whereby the owners of certain stilt-houses may continue their leases or be granted 20-year leases.