

1 A bill to be entitled
2 An act relating to land acquisition; amending
3 s. 201.15, F.S.; providing for changes to bond
4 debt service; amending s. 201.15, F.S.;
5 providing for changes to bond debt service;
6 revising the deposit of certain funds and
7 providing limitations, effective July 1, 2001;
8 amending s. 215.618, F.S.; providing for the
9 refunding and sale of Florida Forever bonds;
10 amending s. 253.03, F.S.; providing for the
11 permitting of certain habitable structures;
12 amending s. 253.034, F.S.; clarifying
13 provisions governing the deposit of funds
14 received from the sale of surplus lands;
15 exempting the Departments of Juvenile Justice
16 and Children and Family Services from a
17 requirement for land-management-plan review;
18 requiring the adoption of rules; revising
19 management planning requirements; providing
20 procedures for determining the value of certain
21 lands; clarifying that the private sector and
22 nonprofit organizations may manage state lands;
23 amending s. 259.03, F.S.; redefining the terms
24 "capital improvement" and "water resource
25 development project"; amending s. 259.032,
26 F.S.; revising the payments-in-lieu-of-taxes
27 program; amending s. 259.0345, F.S.; deleting
28 obsolete provisions; revising the terms of
29 Florida Forever Advisory Council members;
30 clarifying the duties of the Florida Forever
31 Advisory Council; amending s. 259.035, F.S.;

1 authorizing the Acquisition and Restoration
 2 Council to use specified rules; revising
 3 procedures; amending s. 259.101, F.S.;
 4 authorizing the Board of Trustees of the
 5 Internal Improvement Trust Fund to hold title
 6 to specified lands; requiring the monitoring of
 7 easements and agreements; deleting provisions
 8 requiring the redistribution of specified
 9 funds; deleting a repeal of Preservation 2000
 10 bond allocations; amending s. 259.105, F.S.;
 11 requiring the redistribution of funds in
 12 specified circumstances; requiring a specific
 13 percentage of the Florida Communities Trust's
 14 Florida Forever funds to be expended in
 15 standard metropolitan statistical areas;
 16 revising the funding of the Florida Communities
 17 Trust and the Florida Recreation Development
 18 Assistance Program; revising a date for
 19 acceptance of acquisition applications;
 20 authorizing capital expenditures; revising the
 21 goals of the Florida Forever program; requiring
 22 the recommendation of rules to the board of
 23 trustees; revising the distribution of funds;
 24 amending s. 260.018, F.S.; correcting an error;
 25 amending s. 373.139, F.S.; requiring a public
 26 hearing and notification to the county of
 27 proposed purchases; amending s. 373.1391, F.S.;
 28 providing for the resolution of certain
 29 disputes; amending s. 373.1501, F.S.; providing
 30 definitions; providing for acquisition of
 31 certain land by eminent domain by the South

1 Florida Water Management District; amending s.
 2 373.199, F.S.; revising the date for submission
 3 of a report and the content of the report;
 4 creating s. 373.1995, F.S.; requiring a joint
 5 report by the water management districts
 6 establishing goals and performance measures for
 7 Florida Forever funding of district priority
 8 projects; amending s. 373.59, F.S.; revising
 9 payments-in-lieu-of-taxes requirements;
 10 authorizing the refunding of bonds; amending s.
 11 375.051, F.S.; revising requirements for debt
 12 service for bonds issued to acquire lands,
 13 water areas, and related resources; amending s.
 14 375.075, F.S.; revising the funding plan for
 15 recreational development; amending s. 380.507,
 16 F.S.; revising the uses of Florida Forever
 17 funds; amending s. 380.510, F.S.; revising the
 18 uses of Florida Forever funds; providing an
 19 appropriation; repealing s. 211.3103(9), F.S.,
 20 relating to the severance tax on phosphate;
 21 creating the Land Management Uniform Accounting
 22 Council; revising requirements for reporting
 23 funding needs; creating s. 163.065, F.S.;
 24 creating the "Miami River Improvement Act";
 25 providing findings and purpose; directing state
 26 and regional agencies to assist the Miami River
 27 Commission; requiring a plan; providing
 28 effective dates.

29
 30 Be It Enacted by the Legislature of the State of Florida:
 31

1 Section 1. Paragraph (a) of subsection (1) of section
2 201.15, Florida Statutes, is amended to read:

3 201.15 Distribution of taxes collected.--All taxes
4 collected under this chapter shall be distributed as follows
5 and shall be subject to the service charge imposed in s.
6 215.20(1), except that such service charge shall not be levied
7 against any portion of taxes pledged to debt service on bonds
8 to the extent that the amount of the service charge is
9 required to pay any amounts relating to the bonds:

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

13 (a) Amounts as shall be necessary to pay the debt
14 service on, or fund debt service reserve funds, rebate
15 obligations, or other amounts payable with respect to
16 Preservation 2000 bonds issued pursuant to s. 375.051 and
17 Florida Forever bonds issued pursuant to s. 215.618, shall be
18 paid into the State Treasury to the credit of the Land
19 Acquisition Trust Fund to be used for such purposes. The
20 amount transferred to the Land Acquisition Trust Fund for such
21 purposes shall not exceed \$300 million in fiscal year
22 1999-2000 and thereafter for Preservation 2000 bonds and bonds
23 issued to refund Preservation 2000 bonds, and \$300 million in
24 fiscal year 2000-2001 and thereafter for Florida Forever
25 bonds. The annual amount transferred to the Land Acquisition
26 Trust Fund for Florida Forever bonds shall not exceed \$30
27 million in the first fiscal year in which bonds are issued.
28 The limitation on the amount transferred shall be increased by
29 an additional \$30 million in each subsequent fiscal year ~~in~~
30 ~~which bonds are authorized to be issued~~, but shall not exceed
31 a total of \$300 million in any fiscal year for all bonds

1 issued. It is the intent of the Legislature that all bonds
 2 issued to fund the Florida Forever Act be retired by December
 3 31, 2030. Except for bonds issued to refund previously issued
 4 bonds, no series of bonds may be issued pursuant to this
 5 paragraph unless such bonds are approved and the ~~first year's~~
 6 debt service for the remainder of the fiscal year in which the
 7 bonds are issued ~~such bonds~~ is specifically appropriated in
 8 the General Appropriations Act. For purposes of refunding
 9 Preservation 2000 bonds, amounts designated within this
 10 section for Preservation 2000 and Florida Forever bonds may be
 11 transferred between the two programs to the extent provided
 12 for in the documents authorizing the issuance of the bonds.
 13 The Preservation 2000 bonds and Florida Forever bonds shall be
 14 equally and ratably secured by moneys distributable to the
 15 Land Acquisition Trust Fund pursuant to this section, except
 16 to the extent specifically provided otherwise by the documents
 17 authorizing the issuance of the bonds. No moneys transferred
 18 to the Land Acquisition Trust Fund pursuant to this paragraph,
 19 or earnings thereon, shall be used or made available to pay
 20 debt service on the Save Our Coast revenue bonds.

21 Section 2. Effective July 1, 2001, paragraph (a) of
 22 subsection (1) and subsection (8) of section 201.15, Florida
 23 Statutes, are amended to read:

24 201.15 Distribution of taxes collected.--All taxes
 25 collected under this chapter shall be distributed as follows
 26 and shall be subject to the service charge imposed in s.
 27 215.20(1), except that such service charge shall not be levied
 28 against any portion of taxes pledged to debt service on bonds
 29 to the extent that the amount of the service charge is
 30 required to pay any amounts relating to the bonds:

31

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

4 (a) Amounts as shall be necessary to pay the debt
5 service on, or fund debt service reserve funds, rebate
6 obligations, or other amounts payable with respect to
7 Preservation 2000 bonds issued pursuant to s. 375.051 and
8 Florida Forever bonds issued pursuant to s. 215.618, shall be
9 paid into the State Treasury to the credit of the Land
10 Acquisition Trust Fund to be used for such purposes. The
11 amount transferred to the Land Acquisition Trust Fund for such
12 purposes shall not exceed \$300 million in fiscal year
13 1999-2000 and thereafter for Preservation 2000 bonds and bonds
14 issued to refund Preservation 2000 bonds, and \$300 million in
15 fiscal year 2000-2001 and thereafter for Florida Forever
16 bonds. The annual amount transferred to the Land Acquisition
17 Trust Fund for Florida Forever bonds shall not exceed \$30
18 million in the first fiscal year in which bonds are issued.
19 The limitation on the amount transferred shall be increased by
20 an additional \$30 million in each subsequent fiscal year ~~in~~
21 ~~which bonds are authorized to be issued~~, but shall not exceed
22 a total of \$300 million in any fiscal year for all bonds
23 issued. It is the intent of the Legislature that all bonds
24 issued to fund the Florida Forever Act be retired by December
25 31, 2030. Except for bonds issued to refund previously issued
26 bonds, no series of bonds may be issued pursuant to this
27 paragraph unless such bonds are approved and the ~~first year's~~
28 debt service for the remainder of the fiscal year in which the
29 bonds are issued ~~such bonds~~ is specifically appropriated in
30 the General Appropriations Act. For purposes of refunding
31 Preservation 2000 bonds, amounts designated within this

1 section for Preservation 2000 and Florida Forever bonds may be
 2 transferred between the two programs to the extent provided
 3 for in the documents authorizing the issuance of the bonds.
 4 The Preservation 2000 bonds and Florida Forever bonds shall be
 5 equally and ratably secured by moneys distributable to the
 6 Land Acquisition Trust Fund pursuant to this section, except
 7 to the extent specifically provided otherwise by the documents
 8 authorizing the issuance of the bonds. No moneys transferred
 9 to the Land Acquisition Trust Fund pursuant to this paragraph,
 10 or earnings thereon, shall be used or made available to pay
 11 debt service on the Save Our Coast revenue bonds.

12 (8) One-half of one percent of the remaining taxes
 13 collected under this chapter shall be paid into the State
 14 Treasury and divided equally to the credit of the Department
 15 of Environmental Protection Water Quality Assurance Grants and
 16 ~~Donations~~ Trust Fund to address water quality impacts
 17 associated with nonagricultural nonpoint sources and to the
 18 credit of the Department of Agriculture and Consumer Services
 19 General Inspection Trust Fund to address water quality impacts
 20 associated with agricultural nonpoint sources, respectively.
 21 These funds shall be used for research, development,
 22 demonstration, and implementation of suitable best management
 23 practices or other measures used to achieve water quality
 24 standards in surface waters and water segments identified
 25 pursuant to ss. 303(d) of the Clean Water Act, Pub. L. No.
 26 92-500, 33 U.S.C. ss. 1251 et seq. Implementation of best
 27 management practices and other measures may include cost-share
 28 grants, technical assistance, implementation tracking, and
 29 conservation leases or other agreements for water quality
 30 improvement. The unobligated balance of funds received from
 31 the distribution of taxes collected under this chapter to

1 address water quality impacts associated with nonagricultural
2 nonpoint sources will be excluded when calculating the
3 unobligated balance of the Water Quality Assurance Trust Fund
4 as it relates to the determination of the applicable excise
5 tax rate.

6 Section 3. Subsection (1) of section 215.618, Florida
7 Statutes, is amended to read:

8 215.618 Bonds for acquisition and improvement of land,
9 water areas, and related property interests and resources.--

10 (1) The issuance of Florida Forever bonds, not to
11 exceed \$3 billion, to finance or refinance the cost of
12 acquisition and improvement of land, water areas, and related
13 property interests and resources, in urban and rural settings,
14 for the purposes of restoration, conservation, recreation,
15 water resource development, or historical preservation, and
16 for capital improvements to lands and water areas that
17 accomplish environmental restoration, enhance public access
18 and recreational enjoyment, promote long-term management
19 goals, and facilitate water resource development is hereby
20 authorized, subject to the provisions of s. 259.105 and
21 pursuant to s. 11(e), Art. VII of the State Constitution.

22 Florida Forever bonds may also be issued to refund
23 Preservation 2000 bonds issued pursuant to s. 375.051. The
24 \$3-billion limitation on the issuance of Florida Forever bonds
25 does not apply to refunding bonds.The duration of each series
26 of Florida Forever bonds issued may not exceed 20 annual
27 maturities. Preservation 2000 bonds and Florida Forever bonds
28 shall be equally and ratably secured by moneys distributable
29 to the Land Acquisition Trust Fund pursuant to s.
30 201.15(1)(a), except to the extent specifically provided

31

1 otherwise by the documents authorizing the issuance of the
2 bonds.

3 Section 4. Paragraph (d) of subsection (7) of section
4 253.03, Florida Statutes, is amended and paragraph (e) is
5 added to that subsection to read:

6 253.03 Board of trustees to administer state lands;
7 lands enumerated.--

8 (7)

9 (d) By January 1, 2001 ~~2000~~, the owners of habitable
10 structures built on or before May 1, 1999 ~~January 1, 1998~~,
11 located in conservation areas 2 or 3, on district or
12 state-owned lands, the existence or use which will not impede
13 the restoration of the Everglades, whether pursuant to a
14 submerged lease or not, must provide written notification to
15 the South Florida Water Management District of their existence
16 and location, including an identification of the footprint of
17 the structures. This notification will grant the leaseholders
18 an automatic 20-year lease at a reasonable fee established by
19 the district, or the Department of Environmental Protection,
20 as appropriate, to expire on January 1, 2020. The district or
21 Department of Environmental Protection, as appropriate, may
22 impose reasonable conditions consistent with existing laws and
23 rules. If the structures are located on privately owned lands,
24 the landowners must provide the same notification required for
25 a 20-year permit. If ~~where~~ the structures are located on
26 state-owned lands, the South Florida Water Management District
27 shall submit this notification to the Department of
28 Environmental Protection on the owner's behalf. At the
29 expiration of this 20-year lease or permit, the South Florida
30 Water Management District or the Department of Environmental
31 Protection, as appropriate, shall have the right to require

1 that the leaseholder remove the structures if the district
 2 determines that the structures or their use are causing harm
 3 to the water or land resources of the district, or to renew
 4 the lease agreement. The structure of any owner who does not
 5 provide notification to the South Florida Water Management
 6 District as required under this subsection, shall be
 7 considered illegal and subject to immediate removal. Any
 8 structure built in any water conservation area after May 1,
 9 1999, without necessary permits and leases from the South
 10 Florida Water Management District, ~~or~~ the Department of
 11 Environmental Protection, or other local government, as
 12 appropriate, shall be considered illegal and subject to
 13 removal.

14 (e) Failure to comply with the conditions contained in
 15 any permit or lease agreement as described in paragraph (d)
 16 makes the structure illegal and subject to removal. Any
 17 structure built in any water conservation area on or after
 18 July 1, 2000, is also illegal and subject to immediate
 19 removal.

20 Section 5. Subsections (1), (2), (3), (4), (5), (6),
 21 (8), and (10) of section 253.034, Florida Statutes, are
 22 amended to read:

23 253.034 State-owned lands; uses.--

24 (1) All lands acquired pursuant to chapter 259 shall
 25 be managed to serve the public interest by protecting and
 26 conserving land, air, water, and the state's natural
 27 resources, which contribute to the public health, welfare, and
 28 economy of the state. These lands shall be managed to provide
 29 for areas of natural resource based recreation, and to ensure
 30 the survival of plant and animal species and the conservation
 31 of finite and renewable natural resources. The state's lands

1 and natural resources shall be managed using a stewardship
 2 ethic that assures these resources will be available for the
 3 benefit and enjoyment of all people of the state, both present
 4 and future. It is the intent of the Legislature that, where
 5 feasible and consistent with the goals of protection and
 6 conservation of natural resources associated with lands held
 7 in the public trust by the Board of Trustees of the Internal
 8 Improvement Trust Fund, public land not designated for
 9 single-use purposes pursuant to paragraph (2)(b) be managed
 10 for multiple-use purposes. All multiple-use land management
 11 strategies shall address public access and enjoyment, resource
 12 conservation and protection, ecosystem maintenance and
 13 protection, and protection of threatened and endangered
 14 species, and the degree to which public-private partnerships
 15 or endowments may allow the entity ~~agency~~ with management
 16 responsibility to enhance its ability to manage these lands.
 17 The council created in s. 259.035 shall recommend rules to the
 18 board of trustees, and the board shall adopt rules necessary
 19 to carry out the purposes of this section.

20 (2) As used in this section, the following phrases
 21 have the following meanings:

22 (a) "Multiple use" means the harmonious and
 23 coordinated management of timber, recreation, conservation of
 24 fish and wildlife, forage, archaeological and historic sites,
 25 habitat and other biological resources, or water resources so
 26 that they are utilized in the combination that will best serve
 27 the people of the state, making the most judicious use of the
 28 land for some or all of these resources and giving
 29 consideration to the relative values of the various resources.
 30 Where necessary and appropriate for all state-owned lands that
 31 are larger than 1,000 acres in project size and are managed

1 for multiple uses, buffers may be formed around any areas that
2 ~~which~~ require special protection or have special management
3 needs. Such buffers shall not exceed more than one-half of
4 the total acreage. Multiple uses within a buffer area may be
5 restricted to provide the necessary buffering effect desired.
6 Multiple use in this context includes both uses of land or
7 resources by more than one management entity, which may
8 include state agency, or by one or more state agencies and
9 private sector land managers. In any case, lands identified
10 as multiple-use lands in the land management plan shall be
11 managed to enhance and conserve the lands and resources for
12 the enjoyment of the people of the state.

13 (b) "Single use" means management for one particular
14 purpose to the exclusion of all other purposes, except that
15 the using entity agency shall have the option of including in
16 its management program compatible secondary purposes which
17 will not detract from or interfere with the primary management
18 purpose. Such single uses may include, but are not necessarily
19 restricted to, the use of agricultural lands for production of
20 food and livestock, the use of improved sites and grounds for
21 institutional purposes, and the use of lands for parks,
22 preserves, wildlife management, archaeological or historic
23 sites, or wilderness areas where the maintenance of
24 essentially natural conditions is important. All submerged
25 lands shall be considered single-use lands and shall be
26 managed primarily for the maintenance of essentially natural
27 conditions, the propagation of fish and wildlife, and public
28 recreation, including hunting and fishing where deemed
29 appropriate by the managing entity agency.

30 (3) In recognition that recreational trails purchased
31 with rails-to-trails funds pursuant to s. 259.101(3)(g) or s.

1 259.105(3)(h)~~(g)~~ have had historic transportation uses and
2 that their linear character may extend many miles, the
3 Legislature intends that when the necessity arises to serve
4 public needs, after balancing the need to protect trail users
5 from collisions with automobiles and a preference for the use
6 of overpasses and underpasses to the greatest extent feasible
7 and practical, transportation uses shall be allowed to cross
8 recreational trails purchased pursuant to s. 259.101(3)(g) or
9 s. 259.105(3)(h)~~(g)~~. When these crossings are needed, the
10 location and design should consider and mitigate the impact on
11 humans and environmental resources, and the value of the land
12 shall be paid based on fair market value.

13 (4) No management agreement, lease, or other
14 instrument authorizing the use of lands owned by the Board of
15 Trustees of the Internal Improvement Trust Fund shall be
16 executed for a period greater than is necessary to provide for
17 the reasonable use of the land for the existing or planned
18 life cycle or amortization of the improvements, except that an
19 easement in perpetuity may be granted by the Board of Trustees
20 of the Internal Improvement Trust Fund if the improvement is a
21 transportation facility. An entity ~~agency~~ managing or leasing
22 state-owned lands from the ~~board of Trustees of the Internal~~
23 ~~Improvement Trust Fund~~ may not sublease such lands without
24 prior review by the division and, for conservation lands, by
25 the Acquisition and Restoration ~~Land Acquisition and~~
26 ~~Management Advisory~~ Council created in s. 259.035. All
27 management agreements, leases, or other instruments
28 authorizing the use of lands owned by the board shall be
29 reviewed for approval by the board or its designee ~~or its~~
30 ~~successor and approval by the board.~~ The ~~Land Acquisition and~~
31

1 ~~Management Advisory~~ council is not required to review
 2 subleases of parcels which are less than 160 acres in size.
 3 (5) Each entity ~~state agency~~ managing conservation
 4 ~~lands owned by the Board of Trustees of the Internal~~
 5 ~~Improvement Trust Fund~~ shall submit to the Division of State
 6 Lands a land management plan at least every 5 years in a form
 7 and manner prescribed by rule by the board. All management
 8 plans, whether for single-use or multiple-use properties,
 9 shall specifically describe how the managing entity ~~agency~~
 10 plans to identify, locate, protect and preserve, or otherwise
 11 use fragile nonrenewable resources, such as archaeological and
 12 historic sites, as well as other fragile resources, including
 13 endangered plant and animal species, and provide for the
 14 conservation of soil and water resources and for the control
 15 and prevention of soil erosion. Land management plans
 16 submitted by an entity ~~agency~~ shall include reference to
 17 appropriate statutory authority for such use or uses and shall
 18 conform to the appropriate policies and guidelines of the
 19 state land management plan. All land management plans for
 20 parcels larger than 1,000 acres shall contain an analysis of
 21 the multiple-use potential of the parcel, which analysis shall
 22 include the potential of the parcel to generate revenues to
 23 enhance the management of the parcel. Additionally, the land
 24 management plan shall contain an analysis of the potential use
 25 of private land managers to facilitate the restoration or
 26 management of these lands. In those cases where a newly
 27 acquired property has a valid conservation plan, the plan
 28 shall be used to guide management of the property until a
 29 formal land management plan is completed.
 30 (a) The Division of State Lands shall make available
 31 to the public a copy of each land management plan for parcels

1 ~~that which~~ exceed 160 acres in size. The council ~~or its~~
2 ~~successor~~ shall review each plan for compliance with the
3 requirements of this subsection, the requirements of chapter
4 259, and ~~with~~ the requirements of the rules established by the
5 board pursuant to this section ~~subsection~~. The council ~~or its~~
6 ~~successor~~ shall also consider the propriety of the
7 recommendations of the managing entity ~~agency~~ with regard to
8 the future use of the property, the protection of fragile or
9 nonrenewable resources, the potential for alternative or
10 multiple uses not recognized by the managing entity ~~agency~~,
11 and the possibility of disposal of the property by the board.
12 After its review, the council ~~or its successor~~ shall submit
13 the plan, along with its recommendations and comments, to the
14 board. The council ~~or its successor~~ shall specifically
15 recommend to the board whether to approve the plan as
16 submitted, approve the plan with modifications, or reject the
17 plan.

18 (b) The Board of Trustees of the Internal Improvement
19 Trust Fund shall consider the land management plan submitted
20 by each entity ~~state agency~~ and the recommendations of the
21 council ~~or its successor~~ and the Division of State Lands and
22 shall approve the plan with or without modification or reject
23 such plan. The use or possession of any such lands that which
24 is not in accordance with an approved land management plan is
25 subject to termination by the board.

26 (6) The Board of Trustees of the Internal Improvement
27 Trust Fund shall determine which lands, the title to which is
28 vested in the board, may be surplus. Notwithstanding s.
29 253.111, for conservation ~~those lands designated as acquired~~
30 ~~for conservation purposes~~, the board shall make a
31 determination that the lands are no longer needed for

1 conservation purposes and may dispose of them by a two-thirds
 2 vote. For all other lands, the board shall make a
 3 determination that the lands are no longer needed and may
 4 dispose of them by majority vote.

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

14 (b) For any lands purchased by the state on or after
 15 July 1, 1999, a determination shall be made by the board prior
 16 to acquisition as to those parcels that shall be designated as
 17 having been acquired for conservation purposes. No lands
 18 acquired for use by the Department of Corrections, the
 19 Department of Management Services for use as state offices,
 20 the Department of Transportation, except those specifically
 21 managed for conservation or recreation purposes, or the State
 22 University System or State Community College System shall be
 23 designated as having been purchased for conservation purposes.

24 (c) At least every 3 years, as a component of each
 25 land management plan or land use plan and in a form and manner
 26 prescribed by rule by the board, each management entity ~~state~~
 27 ~~agency~~ shall evaluate and indicate to the board those lands
 28 that ~~which~~ the entity ~~agency~~ manages which are not being used
 29 for the purpose for which they were originally leased. Such
 30 lands shall be reviewed by the council ~~or its successor~~ for
 31

1 its recommendation as to whether such lands should be disposed
2 of by the board.

3 (d) Lands owned by the board which are not actively
4 managed by any state agency or for which a land management
5 plan has not been completed pursuant to subsection (5) shall
6 be reviewed by the council or its successor for its
7 recommendation as to whether such lands should be disposed of
8 by the board.

9 (e) Prior to any decision by the board to surplus
10 lands, the Acquisition and Restoration Council shall review
11 and make recommendations to the board concerning the request
12 for surplusings. The council shall determine whether the
13 request for surplusings is compatible with the resource values
14 of and management objectives for such lands.

15 (f) In reviewing lands owned by the board, the council
16 or its successor shall consider whether such lands would be
17 more appropriately owned or managed by the county or other
18 unit of local government in which the land is located. The
19 council or its successor shall recommend to the board whether
20 a sale, lease, or other conveyance to a local government would
21 be in the best interests of the state and local government.
22 The provisions of this paragraph in no way limit the
23 provisions of ss. 253.111 and 253.115. Such lands shall be
24 offered to the county or local government for a period of 90
25 days. Permittable uses for such surplus lands may include
26 public schools; public libraries; fire or law enforcement
27 substations; and governmental, judicial, or recreational
28 centers. County or local government requests for surplus
29 lands shall be expedited throughout the surplusings process.
30 State agencies shall have the subsequent opportunity to
31 acquire the surplus lands for a period not to exceed 30 days

1 after the offer to a county or local government expires.
 2 Surplus properties in which governmental agencies have
 3 expressed no interest shall then be available for sale on the
 4 private market.

5 (g) Lands determined to be surplus pursuant to this
 6 subsection shall be sold for fair market value or the price
 7 paid by the state or a water management district to originally
 8 acquire the lands, whichever is greater, except that the price
 9 of lands sold as surplus to any unit of government shall not
 10 exceed the price paid by the state or a water management
 11 district to originally acquire the lands. A unit of government
 12 which acquires title to lands hereunder for less than fair
 13 market value may not sell or transfer title to all or any
 14 portion of the lands to any private owner for a period of 10
 15 years. Any unit of government seeking to transfer or sell
 16 lands pursuant to this paragraph shall first allow the board
 17 of trustees to reacquire such lands. The board of trustees
 18 may reacquire such lands for the price at which they sold such
 19 lands.

20 (h) Where a unit of government acquired land by gift,
 21 donation, grant, quit-claim deed, or other such conveyance
 22 where no monetary consideration was exchanged, the price of
 23 land sold as surplus shall not exceed the fair market value of
 24 the lands. Fair market value shall be determined by the
 25 average of two separate appraisals. The individual or entity
 26 requesting the surplus shall select and use appraisers from
 27 the list of approved appraisers maintained by the Division of
 28 State Lands in accordance with s. 253.025(6)(b). The
 29 individual or entity requesting the surplus is to incur all
 30 costs of the appraisals.

31

1 (i)~~(h)~~ After reviewing the recommendations of the
2 council or its successor, the board shall determine whether
3 lands identified for surplus are to be held for other public
4 purposes or whether such lands are no longer needed. The
5 board may require an agency to release its interest in such
6 lands.

7 (j)~~(i)~~ Requests for surplusing may be made by any
8 public or private entity or person. All requests shall be
9 submitted to the lead managing agency for review and
10 recommendation to the council or its successor. Lead managing
11 agencies shall have 90 days to review such requests and make
12 recommendations. Any surplusing requests that have not been
13 acted upon within the 90-day time period shall be immediately
14 scheduled for hearing at the next regularly scheduled meeting
15 of the council or its successor. Requests for surplusing
16 pursuant to this paragraph shall not be required to be offered
17 to local or state governments as provided in paragraph (f).

18 (k)~~(j)~~ Proceeds from any sale of surplus lands
19 pursuant to this subsection shall be deposited into the fund
20 from which such lands were acquired. However, if the fund from
21 which the lands were originally acquired no longer exists,
22 such proceeds shall be deposited into an appropriate account
23 to be used for land management by the lead managing agency
24 assigned the lands prior to the lands being declared surplus
25 ~~for use by the lead managing agency for land management.~~

26 (l)~~(k)~~ Notwithstanding the provisions of this
27 subsection, no such disposition of land shall be made if such
28 disposition would have the effect of causing all or any
29 portion of the interest on any revenue bonds issued to lose
30 the exclusion from gross income for federal income tax
31 purposes.

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

4 (8) Land management plans required to be submitted by
5 the Department of Corrections, the Department of Juvenile
6 Justice, the Department of Children and Family Services, or
7 the Department of Education are not ~~shall not be~~ subject to
8 the provisions for review by the council or its successor
9 described in subsection (5). Management plans filed by these
10 agencies shall be made available to the public for a period of
11 90 days at the administrative offices of the parcel or project
12 affected by the management plan and at the Tallahassee offices
13 of each agency. Any plans not objected to during the public
14 comment period shall be deemed approved. Any plans for which
15 an objection is filed shall be submitted to the Board of
16 Trustees of the Internal Improvement Trust Fund for
17 consideration. The Board of Trustees of the Internal
18 Improvement Trust Fund shall approve the plan with or without
19 modification, or reject the plan. The use or possession of
20 any such lands which is not in accordance with an approved
21 land management plan is subject to termination by the board.

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

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

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

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

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

11 (e) The use is consistent with the public interest.
12

13 A decision by the board of trustees pursuant to this section
14 ~~subsection~~ shall be given a presumption of correctness. Moneys
15 received from the use of state lands pursuant to this section
16 ~~subsection~~ shall be returned to the lead managing entity
17 ~~agency~~ in accordance with the provisions of s. 259.032(11)(d).

18 Section 6. Subsection (3) of section 259.03, Florida
19 Statutes, is amended to read:

20 259.03 Definitions.--The following terms and phrases
21 when used in this chapter shall have the meanings ascribed to
22 them in this section, except where the context clearly
23 indicates a different meaning:

24 (3) "Capital improvement" or "capital project
25 expenditure" means those activities relating to the
26 acquisition, restoration, public access, and recreational uses
27 of such lands, water areas, and related resources deemed
28 necessary to accomplish the purposes of this chapter. Eligible
29 activities include, but are not limited to: the initial
30 removal of invasive plants; the construction, improvement,
31 enlargement or extension of facilities' signs, firelanes,

1 access roads, and trails; or any other activities that serve
2 to restore, conserve, protect, or provide public access,
3 recreational opportunities, or necessary services for land or
4 water areas. Such activities shall be identified prior to the
5 acquisition of a parcel or the approval of a project. The
6 continued expenditures necessary for a capital improvement
7 approved under this subsection shall not be eligible for
8 funding provided in this chapter.

9 Section 7. Subsection (10) and paragraph (b) of
10 subsection (12) of section 259.032, Florida Statutes, are
11 amended to read:

12 259.032 Conservation and Recreation Lands Trust Fund;
13 purpose.--

14 (10)(a) State, regional, or local governmental
15 agencies or private entities designated to manage lands under
16 this section shall develop and adopt, with the approval of the
17 board of trustees, an individual management plan for each
18 project designed to conserve and protect such lands and their
19 associated natural resources. Private sector involvement in
20 management plan development may be used to expedite the
21 planning process.

22 (b) Individual management plans required by s.
23 253.034(5), for parcels over 160 acres, shall be developed
24 with input from an advisory group. Members of this advisory
25 group shall include, at a minimum, representatives of the lead
26 land managing agency, comanaging entities, local private
27 property owners, the appropriate soil and water conservation
28 district, a local conservation organization, and a local
29 elected official. The advisory group shall conduct at least
30 one public hearing within the county in which the parcel or
31 project is located. For those parcels or projects that are

1 within more than one county, at least one areawide public
 2 hearing shall be acceptable and the lead managing agency shall
 3 invite a local elected official from each county. The areawide
 4 public hearing shall be held in the county in which the core
 5 parcels are located. Notice of such public hearing shall be
 6 posted on the parcel or project designated for management,
 7 advertised in a paper of general circulation, and announced at
 8 a scheduled meeting of the local governing body before the
 9 actual public hearing. The management prospectus required
 10 pursuant to paragraph (9)(d) shall be available to the public
 11 for a period of 30 days prior to the public hearing.

12 (c) Once a plan is adopted, the managing agency or
 13 entity shall update the plan at least every 5 years in a form
 14 and manner prescribed by rule of the board of trustees. Such
 15 updates, for parcels over 160 acres, shall be developed with
 16 input from an advisory group. Such plans may include transfers
 17 of leasehold interests to appropriate conservation
 18 organizations or governmental entities designated by the Land
 19 Acquisition and Management Advisory Council or its successor,
 20 for uses consistent with the purposes of the organizations and
 21 the protection, preservation, conservation, restoration, and
 22 proper management of the lands and their resources. Volunteer
 23 management assistance is encouraged, including, but not
 24 limited to, assistance by youths participating in programs
 25 sponsored by state or local agencies, by volunteers sponsored
 26 by environmental or civic organizations, and by individuals
 27 participating in programs for committed delinquents and
 28 adults.

29 (d) For each project for which lands are acquired
 30 after July 1, 1995, an individual management plan shall be
 31 adopted and in place no later than 1 year after the essential

1 parcel or parcels identified in the annual Conservation and
2 Recreation Lands report prepared pursuant to s. 259.035(2)(a)
3 have been acquired. Beginning in fiscal year 1998-1999, the
4 Department of Environmental Protection shall distribute only
5 75 percent of the acquisition funds to which a budget entity
6 or water management district would otherwise be entitled from
7 the Preservation 2000 Trust Fund to any budget entity or any
8 water management district that has more than one-third of its
9 management plans overdue.

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

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

16 2. Key management activities necessary to preserve and
17 protect natural resources and restore habitat, and for
18 controlling the spread of nonnative plants and animals, and
19 for prescribed fire and other appropriate resource management
20 activities.

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

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

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

30 6. A cost estimate for conducting other management
31 activities which would enhance the natural resource value or

1 public recreation value for which the lands were acquired. The
2 cost estimate shall include recommendations for cost-effective
3 methods of accomplishing those activities.

4 7. A determination of the public uses and public
5 access that would be consistent with the purposes for which
6 the lands were acquired.

7 (f) The Division of State Lands shall submit a copy of
8 each individual management plan for parcels which exceed 160
9 acres in size to each member of the Land Acquisition and
10 Management Advisory Council or its successor, which shall:

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

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

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

24 (g) The board of trustees shall consider the
25 individual management plan submitted by each state agency and
26 the recommendations of the Land Acquisition and Management
27 Advisory Council, or its successor, and the Division of State
28 Lands and shall approve the plan with or without modification
29 or reject such plan. The use or possession of any lands owned
30 by the board of trustees which is not in accordance with an
31

1 approved individual management plan is subject to termination
2 by the board of trustees.

3

4 By July 1 of each year, each governmental agency, ~~including~~
5 ~~the water management districts,~~ and each private entity
6 designated to manage lands shall report to the Secretary of
7 Environmental Protection on the progress of funding, staffing,
8 and resource management of every project for which the agency
9 or entity is responsible.

10 (12)

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

12 1. To all counties that have a population of 150,000
13 or fewer ~~less~~ and in which the amount of the tax loss from all
14 ~~completed Preservation 2000 and Florida Forever acquisitions~~
15 ~~in the county exceeds 0.01 percent of the county's total~~
16 ~~taxable value.~~ Population levels shall be determined pursuant
17 to s. 11.031.

18 2. To all local governments located in eligible
19 counties.

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

29

30 Counties and local governments that did not receive payments
31 in lieu of taxes for lands purchased pursuant to s. 259.101

1 during fiscal year 1999-2000, if such counties and local
2 governments would have received payments pursuant to this
3 subsection as that section existed on June 30, 1999, shall
4 receive retroactive payments for such tax losses.

5 Section 8. Paragraphs (b) and (e) of subsection (1)
6 and subsections (7) and (8) of section 259.0345, Florida
7 Statutes, are amended to read:

8 259.0345 Florida Forever Advisory Council.--

9 (1)

10 (b) The members appointed by the Governor shall serve
11 3-year ~~4-year~~ terms, except that, initially, to provide for
12 staggered terms, three of the appointees shall serve 2-year
13 terms. No appointee shall serve more than 6 years. The
14 Governor may at any time fill a vacancy for the unexpired term
15 of a member appointed under paragraph (a).

16 (e) ~~Appointments shall be made by August 15, 1999, and~~
17 ~~the council's first meeting shall be held by September 15,~~
18 ~~1999. Beginning, January 1, 2000,~~The council shall, at a
19 minimum, meet twice a year.

20 (7) The council shall provide a report, by December 15
21 ~~November 1,~~ 2000, to the Secretary of Environmental
22 Protection, who shall forward the report to the board of
23 trustees for their approval. After approval by the board of
24 trustees, the secretary shall forward the approved report to
25 the President of the Senate and the Speaker of the House of
26 Representatives, ~~at least 30 days~~ prior to the beginning of
27 the 2001 Regular Legislative Session, for review by the
28 appropriate substantive legislative committee from which the
29 Florida Forever Act originated, or its successor committees
30 ~~with jurisdiction over the department.~~ The Legislature may
31 reject, modify, or take no action relative to the goals and

1 performance measures established by the report. If no action
2 is taken, the goals and performance measures shall be
3 implemented. The report shall meet the following requirements
4 solely with respect to the funding provided pursuant to s.
5 259.105(3)(b):

6 (a) Establish specific goals for those identified in
7 s. 259.105(4).

8 (b) Provide recommendations expanding or refining the
9 goals identified in s. 259.105(4).

10 (c) Identify specific performance measures that may be
11 used to analyze progress towards the goals established.

12 ~~(c) Provide recommendations for the development and~~
13 ~~identification of performance measures to be used for~~
14 ~~analyzing the progress made towards the goals established~~
15 ~~pursuant to s. 259.105(4).~~

16 ~~(d) Provide recommendations for the process by which~~
17 ~~projects are to be submitted, reviewed, and approved by the~~
18 ~~Acquisition and Restoration Council. The advisory council is~~
19 ~~to specifically examine ways to streamline the process created~~
20 ~~by the Florida Forever Act.~~

21
22 It is recognized that during the development of this report,
23 the council may identify other recommendations concerning the
24 implementation of Florida Forever. These recommendations shall
25 be incorporated in the reports identified in subsection (8).

26 (8) The council shall provide a report, at least 30
27 days prior to the regular legislative sessions in the
28 following years: 2002, 2004, 2006 and 2008. The report shall
29 be provided to the Secretary of Environmental Protection, who
30 shall forward the report to the board of trustees for their
31 approval. After approval by the board of trustees, the

1 secretary shall forward the approved report to the President
2 of the Senate and the Speaker of the House of Representatives.
3 The report shall provide: recommendations for adjusting or
4 expanding the goals detailed in s. 259.105(4); recommendations
5 for adjusting the percentage distributions detailed in s.
6 259.105(3); and recommendations concerning other aspects of
7 the Florida Forever Act. In making recommendations for
8 adjusting the percentage distributions detailed in s.
9 259.105(3), the council shall consider which agencies have
10 encumbered their funds in a timely manner and unencumbered
11 balances, if any, in each agency's Florida Forever subaccount.
12 The recommendations may include increases in percentage
13 distributions to those agencies that have encumbered Florida
14 Forever funds in a timely manner.

15 Section 9. Section 259.035, Florida Statutes, as
16 amended by section 16 of chapter 99-247, Laws of Florida, is
17 amended to read:

18 259.035 Acquisition and Restoration Council.--

19 (1) There is created, ~~effective March 1, 2000,~~ the
20 Acquisition and Restoration Council.

21 (a) The council shall be composed of nine voting
22 members, four of whom shall be appointed by the Governor.
23 These four appointees shall be from scientific disciplines
24 related to land, water, or environmental sciences. They shall
25 serve 4-year terms, except that, initially, to provide for
26 staggered terms, two of the appointees shall serve 2-year
27 terms. All subsequent appointments shall be for 4-year terms.
28 No appointee shall serve more than 6 years. The Governor may
29 at any time fill a vacancy for the unexpired term of a member
30 appointed under this paragraph.

31

1 (b) The five remaining appointees shall be composed of
2 the Secretary of Environmental Protection ~~the department~~, the
3 director of the Division of Forestry of the Department of
4 Agriculture and Consumer Services, the executive director of
5 the Fish and Wildlife Conservation Commission, the director of
6 the Division of Historical Resources of the Department of
7 State, and the secretary of the Department of Community
8 Affairs, or their respective designees.

9 (c) The Governor shall appoint the chair of the
10 council, and a vice chair shall be elected from among the
11 members.

12 (d) The council shall hold periodic meetings at the
13 request of the chair.

14 (e) The Department of Environmental Protection shall
15 provide primary staff support to the council and shall ensure
16 that council meetings are electronically recorded. Such
17 recording shall be preserved pursuant to chapters 119 and 257.

18 (f) The board of trustees ~~department~~ has authority to
19 adopt rules pursuant to ss. 120.536(1) and 120.54 to implement
20 the provisions of this section.

21 (2) The four members of the council appointed by the
22 Governor shall receive \$75 per day while engaged in the
23 business of the council, as well as expenses and per diem for
24 travel, including attendance at meetings, as allowed state
25 officers and employees while in the performance of their
26 duties, pursuant to s. 112.061.

27 (3) The council shall provide assistance to the board
28 of trustees in reviewing the recommendations and plans for
29 state-owned lands required under ~~ss. s-~~253.034 and 259.032.
30 The council shall, in reviewing such recommendations and
31 plans, consider the optimization of multiple-use and

1 conservation strategies to accomplish the provisions funded
2 pursuant to ~~ss. s-259.101(3)(a) and 259.105(3)(b)~~. ~~Such funds~~
3 ~~shall only be used to acquire lands identified in the annual~~
4 ~~Conservation and Recreation Lands list approved by the board~~
5 ~~of trustees in the year 2000.~~

6 (4) The council may use existing rules adopted by the
7 board of trustees, until it develops and recommends amendments
8 to those rules, to competitively evaluate, select, and rank
9 projects eligible for the Conservation and Recreation Lands
10 list pursuant to ss. 259.032(3) and 259.101(4) and, beginning
11 no later than May 1, 2001, for Florida Forever funds pursuant
12 to s. 259.105(3)(b). In developing or amending the rules, the
13 council shall give weight to the criteria included in s.
14 259.105(9). The board of trustees shall review the
15 recommendations and shall adopt rules necessary to administer
16 this section.

17 (5) An affirmative vote of five members of the council
18 is required in order to change a project boundary or to place
19 a proposed project on a list developed pursuant to subsection
20 (4). Any member of the council who by family or a business
21 relationship has a connection with all or a portion of any
22 proposed project shall declare the interest before voting on
23 its inclusion on a list.

24 (6) The proposal for a project pursuant to this
25 section or s. 259.105(3)(b) may be implemented only if adopted
26 by the council and approved by the board of trustees. The
27 council shall consider and evaluate in writing the merits and
28 demerits of each project that is proposed for Conservation and
29 Recreation Lands, Florida Preservation 2000, or Florida
30 Forever funding and shall ensure that each proposed project
31 will meet a stated public purpose for the restoration,

1 conservation, or preservation of environmentally sensitive
2 lands and water areas or for providing outdoor recreational
3 opportunities. The council also shall determine whether the
4 project conforms, where applicable with the comprehensive plan
5 developed pursuant to s. 259.04(1)(a), the comprehensive
6 multipurpose outdoor recreation plan developed pursuant to s.
7 375.021, the state lands management plan adopted pursuant to
8 s. 253.03(7), the water resources work plans developed
9 pursuant to s. 373.199, and the provisions of s. 259.032, s.
10 259.101, or s. 259.105, whichever is applicable.

11 Section 10. Subsections (3) and (9) of section
12 259.101, Florida Statutes, are amended to read:

13 259.101 Florida Preservation 2000 Act.--

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

1 shall be distributed by the Department of Environmental
2 Protection in the following manner:

3 (a) Fifty percent to the Department of Environmental
4 Protection for the purchase of public lands as described in s.
5 259.032. Of this 50 percent, at least one-fifth shall be used
6 for the acquisition of coastal lands.

7 (b) Thirty percent to the Department of Environmental
8 Protection for the purchase of water management lands pursuant
9 to s. 373.59, to be distributed among the water management
10 districts as provided in that section. Funds received by each
11 district may also be used for acquisition of lands necessary
12 to implement surface water improvement and management plans
13 approved in accordance with s. 373.456 or for acquisition of
14 lands necessary to implement the Everglades Construction
15 Project authorized by s. 373.4592.

16 (c) Ten percent to the Department of Community Affairs
17 to provide land acquisition grants and loans to local
18 governments through the Florida Communities Trust pursuant to
19 part III of chapter 380. From funds allocated to the trust,
20 \$3 million annually shall be used by the Division of State
21 Lands within the Department of Environmental Protection to
22 implement the Green Swamp Land Protection Initiative Authority
23 specifically for the purchase of conservation easements
24 through land protection agreements, as defined in s.
25 380.0677(4)~~s. 380.0677(5)~~, of lands, or severable interests
26 or rights in lands, in the Green Swamp Area of Critical State
27 Concern. From funds allocated to the trust, \$3 million
28 annually shall be used by the Monroe County Comprehensive Plan
29 Land Authority specifically for the purchase of any real
30 property interest in either those lands subject to the Rate of
31 Growth Ordinances adopted by local governments in Monroe

1 County or those lands within the boundary of an approved
 2 Conservation and Recreation Lands project located within the
 3 Florida Keys or Key West Areas of Critical State Concern;
 4 however, title to lands acquired within the boundary of an
 5 approved Conservation and Recreation Lands project may, in
 6 accordance with an approved joint acquisition agreement, vest
 7 in the Board of Trustees of the Internal Improvement Trust
 8 Fund. Of the remaining funds allocated to the trust after the
 9 above transfers occur, one-half shall be matched by local
 10 governments on a dollar-for-dollar basis. To the extent
 11 allowed by federal requirements for the use of bond proceeds,
 12 the trust shall expend Preservation 2000 funds to carry out
 13 the purposes of part III of chapter 380.

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

20 (e) Two and nine-tenths percent to the Division of
 21 Forestry of the Department of Agriculture and Consumer
 22 Services to fund the acquisition of state forest inholdings
 23 and additions pursuant to s. 589.07.

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

29 (g) One and three-tenths percent to the Department of
 30 Environmental Protection for the Florida Greenways and Trails
 31 Program, to acquire greenways and trails or greenways and

1 trails systems pursuant to chapter 260, including, but not
 2 limited to, abandoned railroad rights-of-way and the Florida
 3 National Scenic Trail.
 4
 5 Local governments may use federal grants or loans, private
 6 donations, or environmental mitigation funds, including
 7 environmental mitigation funds required pursuant to s.
 8 338.250, for any part or all of any local match required for
 9 the purposes described in this subsection. Bond proceeds
 10 allocated pursuant to paragraph (c) may be used to purchase
 11 lands on the priority lists developed pursuant to s. 259.035.
 12 Title to lands purchased pursuant to paragraphs (a), (d), (e),
 13 (f), and (g) shall be vested in the Board of Trustees of the
 14 Internal Improvement Trust Fund, ~~except that title to lands,~~
 15 ~~or rights or interests therein, acquired by either the~~
 16 ~~Southwest Florida Water Management District or the St. Johns~~
 17 ~~River Water Management District in furtherance of the Green~~
 18 ~~Swamp Land Authority's mission pursuant to s. 380.0677(3),~~
 19 ~~shall be vested in the district where the acquisition project~~
 20 ~~is located.~~ Title to lands purchased pursuant to paragraph (c)
 21 may be vested in the Board of Trustees of the Internal
 22 Improvement Trust Fund. The board of trustees shall hold title
 23 to land protection agreements and conservation easements that
 24 were or will be acquired pursuant to s. 380.0677, and, ~~except~~
 25 that title to lands, or rights or interests therein, acquired
 26 by either the Southwest Florida Water Management District and
 27 or the St. Johns River Water Management District shall monitor
 28 such agreements and easements within their respective
 29 districts until the state assumes this responsibility. ~~in~~
 30 ~~furtherance of the Green Swamp Land Authority's mission~~
 31 ~~pursuant to s. 380.0677(3), shall be vested in the district~~

1 ~~where the acquisition project is located. This subsection is~~
2 ~~repealed effective October 1, 2000. Prior to repeal, the~~
3 ~~Legislature shall review the provisions scheduled for repeal~~
4 ~~and shall determine whether to reenact or modify the~~
5 ~~provisions or to take no action.~~

6 (9)(a) The Legislature finds that, with the increasing
7 pressures on the natural areas of this state, the state must
8 develop creative techniques to maximize the use of acquisition
9 and management moneys. The Legislature also finds that the
10 state's environmental land-buying agencies should be
11 encouraged to augment their traditional, fee simple
12 acquisition programs with the use of alternatives to fee
13 simple acquisition techniques. The Legislature also finds
14 that using alternatives to fee simple acquisition by public
15 land-buying agencies will achieve the following public policy
16 goals:

17 1. Allow more lands to be brought under public
18 protection for preservation, conservation, and recreational
19 purposes at less expense using public funds.

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

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

25
26 Therefore, it is the intent of the Legislature that public
27 land-buying agencies develop programs to pursue alternatives
28 to fee simple acquisition and to educate private landowners
29 about such alternatives and the benefits of such alternatives.
30 It also is the intent of the Legislature that the department
31 and the water management districts spend a portion of their

1 shares of Preservation 2000 bond proceeds to purchase eligible
2 properties using alternatives to fee simple acquisition.
3 Finally, it is the intent of the Legislature that public
4 agencies acquire lands in fee simple for public access and
5 recreational activities. Lands protected using alternatives
6 to fee simple acquisition techniques shall not be accessible
7 to the public unless such access is negotiated with and agreed
8 to by the private landowners who retain interests in such
9 lands.

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

1 although the department and the districts are encouraged to
2 use such techniques where appropriate.

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

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

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

22 ~~(f)1. Pursuant to subsection (3) and beginning in~~
23 ~~fiscal year 1999-2000, that portion of the unencumbered~~
24 ~~balances of each program described in paragraphs (3)(c), (d),~~
25 ~~(e), (f), and (g) which has been on deposit in such program's~~
26 ~~Preservation 2000 account for more than 3 fiscal years shall~~
27 ~~be redistributed equally to the Department of Environmental~~
28 ~~Protection, Division of State Lands P2000 sub account for the~~
29 ~~purchase of State Lands as described in s. 259.032 and Water~~
30 ~~Management District P2000 sub account for the purchase of~~
31 ~~Water Management Lands pursuant to ss. 373.456, 373.4592 and~~

1 ~~373.59. For the purposes of this subsection, the term~~
 2 ~~"unencumbered balances" means the portion of Preservation 2000~~
 3 ~~bond proceeds which is not obligated through the signing of a~~
 4 ~~purchase contract between a public agency and a private~~
 5 ~~landowner, except that the program described in paragraph~~
 6 ~~(3)(c) may not lose any portion of its unencumbered funds~~
 7 ~~which remain unobligated because of extraordinary~~
 8 ~~circumstances that hampered the affected local governments'~~
 9 ~~abilities to close on land acquisition projects approved~~
 10 ~~through the Florida Communities Trust program. Extraordinary~~
 11 ~~circumstances shall be determined by the Florida Communities~~
 12 ~~Trust governing body and may include such things as death or~~
 13 ~~bankruptcy of the owner of property; a change in the land use~~
 14 ~~designation of the property; natural disasters that affected a~~
 15 ~~local government's ability to consummate the sales contract on~~
 16 ~~such property; or any other condition that the Florida~~
 17 ~~Communities Trust governing board determined to be~~
 18 ~~extraordinary. The portion of the funds redistributed in the~~
 19 ~~Water Management District P2000 sub account shall be~~
 20 ~~distributed to the water management districts as provided in~~
 21 ~~s. 373.59(8).~~

22 ~~2.~~ The department and the water management districts
 23 may enter into joint acquisition agreements to jointly fund
 24 the purchase of lands using alternatives to fee simple
 25 techniques.

26 ~~(g) If the department or any water management district~~
 27 ~~is unable to spend the funds it receives pursuant to paragraph~~
 28 ~~(f) within the same fiscal year, the unspent funds shall be~~
 29 ~~carried forward to the subsequent fiscal year.~~

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

1 Section 11. Subsections (3), (9), (14), (16), and (18)
2 and paragraph (a) of subsection (7) of section 259.105,
3 Florida Statutes, are amended, paragraphs (p), (q), (r), and
4 (s) are added to subsection (4) of that section, and
5 subsection (20) is added to that section to read:

6 259.105 The Florida Forever Act.--

7 (3) Less the costs of issuing and the costs of funding
8 reserve accounts and other costs associated with bonds, the
9 proceeds of bonds issued pursuant to this section shall be
10 deposited into the Florida Forever Trust Fund created by s.
11 259.1051. The proceeds shall be distributed by the Department
12 of Environmental Protection in the following manner:

13 (a) Thirty-five percent to the Department of
14 Environmental Protection for the acquisition of lands and
15 capital project expenditures necessary to implement the water
16 management districts' priority lists developed pursuant to s.
17 373.199. The funds are to be distributed to the water
18 management districts as provided in subsection (11). A
19 minimum of 50 percent of the total funds provided over the
20 life of the Florida Forever program pursuant to this paragraph
21 shall be used for the acquisition of lands.

22 (b) Thirty-five percent to the Department of
23 Environmental Protection for the acquisition of lands and
24 capital project expenditures described in this section. Of the
25 proceeds distributed pursuant to this paragraph, it is the
26 intent of the Legislature that an increased priority be given
27 to those acquisitions which achieve a combination of
28 conservation goals, including protecting Florida's water
29 resources and natural groundwater recharge. Capital project
30 expenditures may not exceed 10 percent of the funds allocated
31 pursuant to this paragraph.

1 (c) Twenty-two ~~Twenty-four~~ percent to the Department
 2 of Community Affairs for use by the Florida Communities Trust
 3 for the purposes of part III of chapter 380, as described and
 4 limited by this subsection, and grants to local governments or
 5 nonprofit environmental organizations that are tax exempt
 6 under s. 501(c)(3) of the United States Internal Revenue Code
 7 for the acquisition of community-based projects, urban open
 8 spaces, parks, and greenways to implement local government
 9 comprehensive plans. ~~From funds available to the trust, 8~~
 10 ~~percent shall be transferred annually to the Land Acquisition~~
 11 ~~Trust Fund for grants pursuant to s. 375.075.~~ From funds
 12 available to the trust and used for land acquisition, 75
 13 percent shall be matched by local governments on a
 14 dollar-for-dollar basis. The Legislature intends that the
 15 Florida Communities Trust emphasize funding projects in
 16 low-income or otherwise disadvantaged communities. At least
 17 30 ~~Thirty~~ percent of the total allocation provided to the
 18 trust shall be used in Standard Metropolitan Statistical
 19 Areas, but one-half of that amount shall be used in localities
 20 in which the project site is located in built-up commercial,
 21 industrial, or mixed-use areas and functions to intersperse
 22 open spaces within congested urban core areas. From funds
 23 allocated to the trust, no less than 5 percent shall be used
 24 to acquire lands for recreational trail systems, provided that
 25 in the event these funds are not needed for such projects,
 26 they will be available for other trust projects. Local
 27 governments may use federal grants or loans, private
 28 donations, or environmental mitigation funds, including
 29 environmental mitigation funds required pursuant to s.
 30 338.250, for any part or all of any local match required for
 31 acquisitions funded through the Florida Communities Trust.

1 Any lands purchased by nonprofit organizations using funds
 2 allocated under this paragraph must provide for such lands to
 3 remain permanently in public use through a reversion of title
 4 to local or state government, conservation easement, or other
 5 appropriate mechanism. Projects funded with funds allocated
 6 to the Trust shall be selected in a competitive process
 7 measured against criteria adopted in rule by the Trust.

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

10 (e)(d) One and five-tenths percent to the Department
 11 of Environmental Protection for the purchase of inholdings and
 12 additions to state parks and for capital project expenditures
 13 as described in this section. Capital project expenditures may
 14 not exceed 10 percent of the funds allocated under this
 15 paragraph. For the purposes of this paragraph, "state park"
 16 means any real property in the state which is under the
 17 jurisdiction of the Division of Recreation and Parks of the
 18 department, or which may come under its jurisdiction.

19 (f)(e) One and five-tenths percent to the Division of
 20 Forestry of the Department of Agriculture and Consumer
 21 Services to fund the acquisition of state forest inholdings
 22 and additions pursuant to s. 589.07, and the implementation of
 23 reforestation plans or sustainable forestry management
 24 practices, and for capital project expenditures as described
 25 in this section. Capital project expenditures may not exceed
 26 10 percent of the funds allocated under this paragraph.

27 (g)(f) One and five-tenths percent to the Fish and
 28 Wildlife Conservation Commission to fund the acquisition of
 29 inholdings and additions to lands managed by the commission
 30 which are important to the conservation of fish and wildlife
 31 and for capital project expenditures as described in this

1 section. Capital project expenditures may not exceed 10
 2 percent of the funds allocated under this paragraph.
 3 (h)(g) One and five-tenths percent to the Department
 4 of Environmental Protection for the Florida Greenways and
 5 Trails Program, to acquire greenways and trails or greenways
 6 and trail systems pursuant to chapter 260, including, but not
 7 limited to, abandoned railroad rights-of-way and the Florida
 8 National Scenic Trail and for capital project expenditures as
 9 described in this section. Capital project expenditures may
 10 not exceed 10 percent of the funds allocated under this
 11 paragraph.
 12 (i) It is the intent of the Legislature that proceeds
 13 of Florida Forever bonds distributed under this section shall
 14 be expended in an efficient and fiscally responsible manner.
 15 An agency that receives proceeds from Florida Forever bonds
 16 under this section may not maintain a balance of unencumbered
 17 funds in its Florida Forever subaccount beyond 3 fiscal years
 18 from the date of deposit of funds from each bond issue. Any
 19 funds that have not been expended or encumbered after 3 fiscal
 20 years from the date of deposit shall be distributed by the
 21 Legislature at its next regular session for use in the Florida
 22 Forever program.
 23 (j)(h) For the purposes of paragraphs (d), (e), (f),
 24 and (g), the agencies which receive the funds shall develop
 25 their individual acquisition or restoration lists. Proposed
 26 additions may be acquired if they are identified within the
 27 original project boundary, the management plan required
 28 pursuant to s. 253.034(5), or the management prospectus
 29 required pursuant to s. 259.032(9)(d). Proposed additions not
 30 meeting the requirements of this paragraph shall be submitted
 31 to the Acquisition and Restoration Council for approval. The

1 council may only approve the proposed addition if it meets two
2 or more of the following criteria: serves as a link or
3 corridor to other publicly owned property; enhances the
4 protection or management of the property; would add a
5 desirable resource to the property; would create a more
6 manageable boundary configuration; has a high resource value
7 that otherwise would be unprotected; or can be acquired at
8 less than fair market value.

9 (4) It is the intent of the Legislature that projects
10 or acquisitions funded pursuant to paragraphs (3)(a) and (b)
11 contribute to the achievement of the following goals:

12 (p) The implementation of practices that provide
13 sufficient quantities of water available to meet current and
14 future needs of the natural system and residents of the state,
15 as measured by execution of water-resource-development
16 components of the districts' water management plans. However,
17 funds provided for capital improvements under this purpose are
18 limited to those provided the water management districts in
19 paragraph (3)(a).

20 (q) An increase in the state's inventory of historical
21 and cultural sites as measured by the number of sites
22 acquired.

23 (r) An increase in the protection of fragile coastal
24 resources, as measured by the linear feet and acreage of
25 coastline acquired.

26 (s) An increase in the protection of significant
27 surface waters of the state, as measured by the acreage of
28 lands acquired to buffer them.

29 (7)(a) Beginning no later than July 1, 2001 ~~2000~~, and
30 every year thereafter, the Acquisition and Restoration Council
31 shall accept applications from state agencies, local

1 governments, nonprofit and for-profit organizations, private
2 land trusts, and individuals for project proposals eligible
3 for funding pursuant to paragraph (3)(b). The council shall
4 evaluate the proposals received pursuant to this subsection to
5 ensure that they meet at least one of the criteria under
6 subsection (9).

7 (9) The Acquisition and Restoration Council shall
8 recommend rules for adoption by the board of trustees ~~develop~~
9 ~~a rule~~ to competitively evaluate, select, and rank projects
10 eligible for Florida Forever funds pursuant to paragraph
11 (3)(b) and for additions to the Conservation and Recreation
12 Lands list pursuant to ss. 259.032 and 259.101(4). In
13 developing these proposed rules, ~~this rule~~ the Acquisition and
14 Restoration Council shall give weight to the following
15 criteria:

16 (a) The project meets multiple goals described in
17 subsection (4).

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

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

23 (d) The project has significant archaeological or
24 historic value.

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

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

30 (g) The project has a significant portion of its land
31 area in imminent danger of development, in imminent danger of

1 losing its significant natural attributes or recreational open
2 space, or in imminent danger of subdivision which would result
3 in multiple ownership and make acquisition of the project
4 costly or less likely to be accomplished.

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

7 (i) The project is one of the components of the
8 Everglades restoration effort.

9 (j) The project may be purchased at 80 percent of
10 appraised value.

11 (k) The project may be acquired, in whole or in part,
12 using alternatives to fee simple, including but not limited
13 to, purchase of development rights, hunting rights,
14 agricultural or silvicultural rights, or mineral rights or
15 obtaining conservation easements or flowage easements ~~or use~~
16 ~~of land protection agreements as defined in s. 380.0677(5).~~

17 (l) The project is a joint acquisition, either among
18 public agencies, nonprofit organizations, or private entities,
19 or by a public-private partnership.

20 (14) Each year that bonds are to be issued pursuant to
21 this section, the Acquisition and Restoration Council shall
22 review the most current ~~that year's~~ approved project list and
23 shall, by the first board meeting in May, present to the Board
24 of Trustees of the Internal Improvement Trust Fund for
25 approval a listing of projects developed pursuant to
26 subsection (8). The board of trustees may remove projects from
27 the list developed pursuant to this subsection, but may not
28 add projects or rearrange project rankings.

29 (16) All proposals for projects pursuant to paragraph
30 (3)(b) or subsection (20) shall be implemented only if adopted
31 by the Acquisition and Restoration Council and approved by the

1 board of trustees. The council shall consider and evaluate in
 2 writing the merits and demerits of each project that is
 3 proposed for Florida Forever funding and each proposed
 4 addition to the Conservation and Recreation Lands list
 5 program. The council ~~and~~ shall ensure that each proposed
 6 project will meet a stated public purpose for the restoration,
 7 conservation, or preservation of environmentally sensitive
 8 lands and water areas or for providing outdoor recreational
 9 opportunities and that each proposed addition to the
 10 Conservation and Recreation Lands list will meet the public
 11 purposes under s. 259.032(3) and, when applicable, s.
 12 259.101(4). The council also shall determine whether ~~if~~ the
 13 project or addition conforms, where applicable, with the
 14 comprehensive plan developed pursuant to s. 259.04(1)(a), the
 15 comprehensive multipurpose outdoor recreation plan developed
 16 pursuant to s. 375.021, the state lands management plan
 17 adopted pursuant to s. 253.03(7), the water resources work
 18 plans developed pursuant to s. 373.199, and the provisions of
 19 this section.

20 (18) The Acquisition and Restoration Council shall ~~may~~
 21 recommend adoption of rules by the board of trustees necessary
 22 to implement the provisions of this section relating to:
 23 solicitation, scoring, selecting, and ranking of Florida
 24 Forever project proposals; disposing of or leasing lands or
 25 water areas selected for funding through the Florida Forever
 26 program; and the process of reviewing and recommending for
 27 approval or rejection the land management plans associated
 28 with publicly owned properties. Rules promulgated pursuant to
 29 this subsection shall be submitted to the President of the
 30 Senate and the Speaker of the House of Representatives, for
 31 review by the Legislature, no later than 30 days prior to the

1 2001 ~~2000~~ Regular Session and shall become effective only
2 after legislative review. In its review, the Legislature may
3 reject, modify, or take no action relative to such rules. The
4 board of trustees ~~council~~ shall conform such rules to changes
5 made by the Legislature, or, if no action was taken by the
6 Legislature, such rules shall become effective.

7 (20) The Acquisition and Restoration Council, as
8 successors to the Land Acquisition and Management Advisory
9 Council, may amend existing Conservation and Recreation Lands
10 projects and add to or delete from the 2000 Conservation and
11 Recreation Lands list until funding for the Conservation and
12 Recreation Lands program has been expended. The amendments to
13 the 2000 Conservation and Recreation Lands list will be
14 reported to the board of trustees in conjunction with the
15 council's report developed pursuant to s. 259.105(15).

16 Section 12. Section 260.018, Florida Statutes, is
17 amended to read:

18 260.018 Agency recognition.--All agencies of the
19 state, regional planning councils through their comprehensive
20 plans, and local governments through their local comprehensive
21 planning process pursuant to chapter 163 shall recognize the
22 special character of publicly owned lands and waters
23 designated by the state as greenways and trails and shall not
24 take any action which will impair their use as designated.
25 Identification of lands or waterways in planning materials,
26 maps, data, and other information developed or used in the
27 greenways and trails program shall not be cause for such lands
28 or waterways to be subject to this section, unless such lands
29 or waterways have been designated as a part of the statewide
30 system of ~~or~~ greenways and trails pursuant to s.
31 260.016(2)(d).

1 Section 13. Subsections (2) and (3) of section
2 373.139, Florida Statutes, are amended to read:

3 373.139 Acquisition of real property.--

4 (2) The governing board of the district is empowered
5 and authorized to acquire in fee or less than fee title to
6 real property, and easements therein, by purchase, gift,
7 devise, lease, eminent domain, or otherwise for flood control,
8 water storage, water management, conservation and protection
9 of water resources, aquifer recharge, water resource and water
10 supply development, and preservation of wetlands, streams, and
11 lakes. Eminent domain powers may be used only for acquiring
12 real property for flood control and water storage or for
13 curing title defects or encumbrances to real property to be
14 acquired from a willing seller.

15 (3)~~(a)~~ The initial 5-year workplan and any subsequent
16 modifications or additions thereto shall be adopted by each
17 water management district after a public hearing. Each water
18 management district shall provide at least 14 days' advance
19 notice of the hearing date and shall separately notify each
20 county commission within which a proposed workplan project or
21 project modification or addition is located of the hearing
22 date.~~No acquisition of lands shall occur without a public~~
23 ~~hearing similar to those held pursuant to the provisions set~~
24 ~~forth in s. 120.54.~~

25 (a)~~(b)~~ Title information, appraisal reports, offers,
26 and counteroffers are confidential and exempt from the
27 provisions of s. 119.07(1) until an option contract is
28 executed or, if no option contract is executed, until 30 days
29 before a contract or agreement for purchase is considered for
30 approval by the governing board. However, each district may,
31 at its discretion, disclose appraisal reports to private

1 landowners during negotiations for acquisitions using
 2 alternatives to fee simple techniques, if the district
 3 determines that disclosure of such reports will bring the
 4 proposed acquisition to closure. In the event that negotiation
 5 is terminated by the district, the title information,
 6 appraisal report, offers, and counteroffers shall become
 7 available pursuant to s. 119.07(1). Notwithstanding the
 8 provisions of this section and s. 259.041, a district and the
 9 Division of State Lands may share and disclose title
 10 information, appraisal reports, appraisal information, offers,
 11 and counteroffers when joint acquisition of property is
 12 contemplated. A district and the Division of State Lands shall
 13 maintain the confidentiality of such title information,
 14 appraisal reports, appraisal information, offers, and
 15 counteroffers in conformance with this section and s. 259.041,
 16 except in those cases in which a district and the division
 17 have exercised discretion to disclose such information.

18 (b)~~(c)~~ The Secretary of Environmental Protection shall
 19 release moneys from the appropriate account or trust fund to a
 20 district for preacquisition costs within 30 days after receipt
 21 of a resolution adopted by the district's governing board
 22 which identifies and justifies any such preacquisition costs
 23 necessary for the purchase of any lands listed in the
 24 district's 5-year work plan. The district shall return to the
 25 department any funds not used for the purposes stated in the
 26 resolution, and the department shall deposit the unused funds
 27 into the appropriate account or trust fund.

28 (c)~~(d)~~ The Secretary of Environmental Protection shall
 29 release acquisition moneys from the appropriate account or
 30 trust fund to a district following receipt of a resolution
 31 adopted by the governing board identifying the lands being

1 acquired and certifying that such acquisition is consistent
 2 with the 5-year work plan of acquisition and other provisions
 3 of this section. The governing board also shall provide to the
 4 Secretary of Environmental Protection a copy of all certified
 5 appraisals used to determine the value of the land to be
 6 purchased. Each parcel to be acquired must have at least one
 7 appraisal. Two appraisals are required when the estimated
 8 value of the parcel exceeds \$500,000. However, when both
 9 appraisals exceed \$500,000 and differ significantly, a third
 10 appraisal may be obtained. If the purchase price is greater
 11 than the appraisal price, the governing board shall submit
 12 written justification for the increased price. The Secretary
 13 of Environmental Protection may withhold moneys for any
 14 purchase that is not consistent with the 5-year plan or the
 15 intent of this section or that is in excess of appraised
 16 value. The governing board may appeal any denial to the Land
 17 and Water Adjudicatory Commission pursuant to s. 373.114.

18 Section 14. Paragraph (c) of subsection (1) of section
 19 373.1391, Florida Statutes, is amended to read:

20 373.1391 Management of real property.--

21 (1)

22 (c) In developing or reviewing land management plans
 23 when should a dispute arises ~~arise~~ that has not been ~~cannot be~~
 24 resolved by a the water management district's final agency
 25 action districts, that dispute must ~~issue shall~~ be resolved
 26 under chapter 120 forwarded to the Secretary of Environmental
 27 ~~Protection who shall submit it to the Florida Forever Advisory~~
 28 ~~Council.~~

29 Section 15. Subsections (1) and (3) of section
 30 373.1501, Florida Statutes, are amended to read:

31

1 373.1501 South Florida Water Management District as
2 local sponsor.--

3 (1) As used in this section and s. 373.026(8), the
4 term:

5 (a) "C-111 Project" means the project identified in
6 the Central and Southern Florida Flood Control Project, Real
7 Estate Design Memorandum, Canal 111, South Dade County,
8 Florida.

9 (b) "Department" means the Department of Environmental
10 Protection.

11 (c) "District" means the South Florida Water
12 Management District.

13 (d) "Kissimmee River Restoration Project" means the
14 project identified in the Project Cooperation Agreement
15 between the United States Department of the Army and the South
16 Florida Water Management District dated March 22, 1994.

17 (e) "Pal-Mar Project" means the Pal-Mar (West Jupiter
18 Wetlands) lands identified in the Save Our Rivers 2000 Land
19 Acquisition and Management Plan approved by the South Florida
20 Water Management District on September 9, 1999, (Resolution
21 99-94).

22 ~~(f)(e)~~ "Project" means the Central and Southern
23 Florida Project.

24 ~~(g)(f)~~ "Project Component" means any structural or
25 operational change, resulting from the restudy, to the Central
26 and Southern Florida Project as it existed and was operated as
27 of January 1, 1999.

28 ~~(h)(g)~~ "Restudy" means the Comprehensive Review Study
29 of the Central and Southern Florida Project, for which federal
30 participation was authorized by the federal Water Resources
31 Development Acts of 1992 and 1996 together with related

1 Congressional resolutions and for which participation by the
2 South Florida Water Management District is authorized by this
3 section. The term includes all actions undertaken pursuant to
4 the aforementioned authorizations which will result in
5 recommendations for modifications or additions to the Central
6 and Southern Florida Project.

7 (i) "Southern Corkscrew Regional Ecosystem Watershed
8 Project" means the area described in the Critical Restoration
9 Project Contract C-9906 Southern Corkscrew Regional Ecosystem
10 Watershed Project Addition/Imperial River Flowway and approved
11 by the South Florida Water Management District on August 12,
12 1999.

13 (j)(h) "Water Preserve Areas" means those areas
14 located only within Palm Beach and Broward counties that are
15 designated as Water Preserve Areas, as approved by the South
16 Florida Water Management District Governing Board on September
17 11, 1997, and shall also include all of those lands within
18 Cell II of the East Coast Buffer in Broward County as
19 delineated in the boundary survey prepared by Stoner and
20 Associates, Inc., dated January 31, 2000, SWFWMD #10953.

21 (k)(i) "Ten Mile Creek Project" means the Ten Mile
22 Creek Water Preserve Area identified in the Central and
23 Southern Florida Ecosystem Critical Project Letter Report
24 dated April 13, 1998.

25 (3) The Legislature declares that the Kissimmee River
26 Project, the Ten Mile Creek Project, the Water Preserve Areas,
27 the Southern Corkscrew Regional Ecosystem Watershed Project,
28 the Pal-Mar Project, and the C-111 Project are in the public
29 interest, for a public purpose, and necessary for the public
30 health and welfare. The governing board of the district is
31 empowered and authorized to acquire fee title or easement by

1 eminent domain for the limited purposes of implementing the
2 Kissimmee River Project, the Ten Mile Creek Project, the Water
3 Preserve Areas, the Southern Corkscrew Regional Ecosystem
4 Watershed Project, the Pal-Mar Project,and the C-111 Project.

5 Any acquisition of real property, including by eminent domain,
6 for those objectives constitutes a public purpose for which it
7 is in the public interest to expend public funds.

8 Notwithstanding any provision of law to the contrary, such
9 properties shall not be removed from the district's plan of
10 acquisition, and the use of state funds for these properties
11 is authorized. In the absence of willing sellers, any land
12 necessary for implementing the projects in this subsection
13 shall be acquired in accordance with state condemnation law
14 pursuant to chapters 73 and 74.

15 Section 16. Paragraph (a) of subsection (3) and
16 subsection (7) of section 373.199, Florida Statutes, are
17 amended to read:

18 373.199 Florida Forever Water Management District Work
19 Plan.--

20 (3) In developing the list, each water management
21 district shall:

22 (a) Integrate its existing surface water improvement
23 and management plans, Save Our Rivers land acquisition lists,
24 stormwater management projects, proposed water resource
25 development projects, proposed water body restoration
26 projects, proposed capital improvement projects necessary to
27 promote reclamation, storage, or recovery of water,and other
28 properties or activities that would assist in meeting the
29 goals of Florida Forever.

30 (7) By June ~~January 1, 2001, of each year,~~each
31 district shall file with the President of the Senate, the

1 Speaker of the House of Representatives, Legislature and the
2 Secretary of Environmental Protection the initial 5-year
3 workplan as required under subsection (2). By January 1 of
4 each year thereafter, each district shall file with the
5 President of the Senate, the Speaker of the House of
6 Representatives, and the Secretary of Environmental Protection
7 a report of acquisitions completed during the year together
8 with modifications or additions to its 5-year work plan.

9 Included in the report shall be:

10 (a) A description of land management activity for each
11 property or project area owned by the water management
12 district.

13 (b) A list of any lands surplused and the amount of
14 compensation received.

15 (c) The progress of funding, staffing, and resource
16 management of every project funded pursuant to s. 259.101, s.
17 259.105, or s. 373.59 for which the district is responsible.

18
19 The secretary shall submit the report referenced in this
20 subsection to the Board of Trustees of the Internal
21 Improvement Trust Fund together ~~required pursuant to this~~
22 subsection along with the Acquisition and Restoration
23 Council's project list as Florida Forever report required
24 under s. 259.105.

25 Section 17. Section 373.1995, Florida Statutes, is
26 created to read:

27 373.1995 Florida Forever performance measures.--The
28 five water management districts shall jointly provide a report
29 by December 15, 2000, to the Secretary of Environmental
30 Protection, which shall establish specific goals and
31 performance measures that may be used to analyze activities

1 funded pursuant to s. 259.105(3)(a). The report shall, at a
 2 minimum, be based on those goals and performance measures
 3 identified in s. 259.105(4). The secretary shall forward the
 4 report to the Board of Trustees of the Internal Improvement
 5 Trust Fund for their approval. After approval by the board of
 6 trustees, the secretary shall forward the approved report to
 7 the President of the Senate and the Speaker of the House of
 8 Representatives, prior to the beginning of the 2001 Regular
 9 Legislative Session, for review by the substantive legislative
 10 committee from which the Florida Forever Act originated, or
 11 its successor. The Legislature may reject, modify, or take no
 12 action relative to the goals and performance measures
 13 established by the report. If no action is taken, the goals
 14 and performance measures established in the report shall be
 15 implemented.

16 Section 18. Subsections (1) and (10) of section
 17 373.59, Florida Statutes, are amended to read:

18 373.59 Water Management Lands Trust Fund.--

19 (1) There is established within the Department of
 20 Environmental Protection the Water Management Lands Trust Fund
 21 to be used as a nonlapsing fund for the purposes of this
 22 section. The moneys in this fund are hereby continually
 23 appropriated for the purposes of land acquisition, management,
 24 maintenance, capital improvements of land titled to the
 25 districts, payments in lieu of taxes, debt service on bonds
 26 issued prior to July 1, 1999, debt service on bonds issued on
 27 or after July 1, 1999, which are issued to refund bonds issued
 28 before July 1, 1999,preacquisition costs associated with land
 29 purchases, and the department's costs of administration of the
 30 fund. The department's costs of administration shall be
 31 charged proportionally against each district's allocation

1 using the formula provided in subsection (8). Capital
2 improvements shall include, but need not be limited to,
3 perimeter fencing, signs, firelanes, control of invasive
4 exotic species, controlled burning, habitat inventory and
5 restoration, law enforcement, access roads and trails, and
6 minimal public accommodations, such as primitive campsites,
7 garbage receptacles, and toilets.

8 (10)(a) Beginning July 1, 1999, not more than
9 one-fourth of the land management funds provided for in
10 subsections (1) and (8) in any year shall be reserved annually
11 by a governing board, during the development of its annual
12 operating budget, for payments in lieu of taxes for all actual
13 tax losses incurred as a result of governing board
14 acquisitions for water management districts pursuant to ss.
15 259.101, 259.105, and 373.59 ~~under the Florida Forever program~~
16 during any year. Reserved funds not used for payments in lieu
17 of taxes in any year shall revert to the Water Management
18 Lands Trust Fund to be used in accordance with the provisions
19 of this section.

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

21 1. To all counties that have a population of 150,000
22 or fewer ~~less and in which the amount of tax loss from all~~
23 ~~completed Preservation 2000 and Florida Forever acquisitions~~
24 ~~in the county exceeds 0.01 percent of the county's total~~
25 ~~taxable value~~. Population levels shall be determined pursuant
26 to s. 11.031.

27 2. To all local governments located in eligible
28 counties and whose lands are bought and taken off the tax
29 rolls.
30
31

1 For properties acquired after January 1, 2000, in the event
2 that such properties otherwise eligible for payment in lieu of
3 taxes under this subsection are leased or reserved and remain
4 subject to ad valorem taxes, payments in lieu of taxes shall
5 commence or recommence upon the expiration or termination of
6 the lease or reservation, but in no event shall there be more
7 than a total of ten annual payments in lieu of taxes for each
8 tax loss. If the lease is terminated for only a portion of the
9 lands at any time, the ten annual payments shall be made for
10 that portion only commencing the year after such termination,
11 without limiting the requirement that ten annual payments
12 shall be made on the remaining portion or portions of the land
13 as the lease on each expires.For the purposes of this
14 subsection, "local government" includes municipalities, the
15 county school board, mosquito control districts, and any other
16 local government entity which levies ad valorem taxes.

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

22 (d) The payment amount shall be based on the average
23 amount of actual taxes paid on the property for the 3 years
24 preceding acquisition. Applications for payment in lieu of
25 taxes shall be made no later than January 31 of the year
26 following acquisition. No payment in lieu of taxes shall be
27 made for properties which were exempt from ad valorem taxation
28 for the year immediately preceding acquisition. If property
29 that was subject to ad valorem taxation was acquired by a
30 tax-exempt entity for ultimate conveyance to the state under
31 this chapter, payment in lieu of taxes shall be made for such

1 property based upon the average amount of taxes paid on the
2 property for the 3 years prior to its being removed from the
3 tax rolls. The water management districts shall certify to the
4 Department of Revenue those properties that may be eligible
5 under this provision. Once eligibility has been established,
6 that governmental entity shall receive 10 consecutive annual
7 payments for each tax loss, and no further eligibility
8 determination shall be made during that period.

9 (e) Payment in lieu of taxes pursuant to this
10 subsection shall be made annually to qualifying counties and
11 local governments after certification by the Department of
12 Revenue that the amounts applied for are reasonably
13 appropriate, based on the amount of actual taxes paid on the
14 eligible property, and after the water management districts
15 have provided supporting documents to the Comptroller and have
16 requested that payment be made in accordance with the
17 requirements of this section.

18 (f) If a water management district conveys to a county
19 or local government title to any land owned by the district,
20 any payments in lieu of taxes on the land made to the county
21 or local government shall be discontinued as of the date of
22 the conveyance.

23 (g) The districts may make retroactive payments to
24 counties and local governments that did not receive payments
25 in lieu of taxes for lands purchased under ss. 259.101 and
26 373.59 during fiscal year 1999-2000 if the counties and local
27 governments would have received those payments under ss.
28 259.032(12) and 373.59(14).

29 Section 19. Section 375.051, Florida Statutes, is
30 amended to read:
31

1 375.051 Issuance of revenue bonds subject to
 2 constitutional authorization.--The acquisition of lands, water
 3 areas, and related resources by the department under this act
 4 is a public purpose for which revenue bonds may be issued when
 5 and only when there has been granted in the State Constitution
 6 specific authorization for the department to issue revenue
 7 bonds to pay the cost of acquiring such lands, water areas,
 8 and related resources and to construct, improve, enlarge, and
 9 extend capital improvements and facilities thereon as
 10 determined by the department to be necessary for the purposes
 11 of this act. The department may utilize the services and
 12 facilities of the Department of Legal Affairs, the Board of
 13 Administration, or any other agency in this regard. No
 14 revenue bonds, revenue certificates, or other evidences of
 15 indebtedness shall be issued for the purposes of this act
 16 except as specifically authorized by the State Constitution.
 17 All revenue bonds, revenue certificates, or other evidences of
 18 indebtedness issued pursuant to this act shall be submitted to
 19 the State Board of Administration for approval or disapproval.
 20 No individual series of bonds may be issued pursuant to this
 21 section unless the ~~first year's~~ debt service for the remainder
 22 of the fiscal year in which the bonds are issued ~~such bonds~~ is
 23 specifically appropriated in the General Appropriations Act.

24 Section 20. Subsection (1) of section 375.075, Florida
 25 Statutes, is amended to read:

26 375.075 Outdoor recreation; financial assistance to
 27 local governments.--

28 (1) The Department of Environmental Protection is
 29 authorized, ~~pursuant to s. 370.023,~~ to establish the Florida
 30 Recreation Development Assistance Program to provide grants to
 31 qualified local governmental entities to acquire or develop

1 land for public outdoor recreation purposes. To the extent not
 2 needed for debt service on bonds issued pursuant to s.
 3 375.051, each ~~fiscal year through fiscal year 2000-2001~~, the
 4 department shall develop and plan a program which shall be
 5 based upon funding of not less than 5 percent of the money
 6 credited to the Land Acquisition Trust Fund pursuant to s.
 7 201.15(2) and (3) in that year. Beginning fiscal year
 8 2001-2002, the department shall develop and plan a program
 9 which shall be based upon the cumulative total funding
 10 provided from this section and from the Florida Forever Trust
 11 Fund pursuant to s. 259.105(3)(c).

12 Section 21. Subsection (11) of section 380.507,
 13 Florida Statutes, is amended to read:

14 380.507 Powers of the trust.--The trust shall have all
 15 the powers necessary or convenient to carry out the purposes
 16 and provisions of this part, including:

17 (11) To make rules necessary to carry out the purposes
 18 of this part and to exercise any power granted in this part,
 19 pursuant to the provisions of chapter 120. The trust shall
 20 adopt rules governing the acquisition of lands ~~by local~~
 21 ~~governments or the trust~~ using proceeds from the Preservation
 22 2000 Trust Fund and the Florida Forever Trust Fund, consistent
 23 with the intent expressed in the Florida Forever Act. Such
 24 rules for land acquisition must include, but are not limited
 25 to, procedures for appraisals and confidentiality consistent
 26 with ss. 125.355(1)(a) and (b) and 166.045(1)(a) and (b), a
 27 method of determining a maximum purchase price, and procedures
 28 to assure that the land is acquired in a voluntarily
 29 negotiated transaction, surveyed, conveyed with marketable
 30 title, and examined for hazardous materials contamination.
 31 Land acquisition procedures of a local land authority created

1 pursuant to s. 380.0663 or s. 380.0677 may be used for the
2 land acquisition programs described by ss. 259.101(3)(c) and
3 259.105 if within areas of critical state concern designated
4 pursuant to s. 380.05, subject to approval of the trust.

5 Section 22. Subsection (7) of section 380.510, Florida
6 Statutes, is amended to read:

7 380.510 Conditions of grants and loans.--

8 (7) Any funds received by the trust from the
9 Preservation 2000 Trust Fund pursuant to s. 259.101(3)(c) and
10 the Florida Forever Trust Fund pursuant to s. 259.105(3)(c)
11 shall be held separate and apart from any other funds held by
12 the trust and shall be used ~~only to pay the cost of the~~
13 ~~acquisition of lands by a local government or the state for~~
14 the land acquisition purposes of this part. In addition to the
15 other conditions set forth in this section, the disbursement
16 of Preservation 2000 and Florida Forever funds from the trust
17 shall be subject to the following conditions:

18 (a) The administration and use of any funds received
19 by the trust from the Preservation 2000 Trust Fund and the
20 Florida Forever Trust Fund shall be subject to such terms and
21 conditions imposed thereon by the agency of the state
22 responsible for the bonds, the proceeds of which are deposited
23 in the Preservation 2000 Trust Fund and the Florida Forever
24 Trust Fund, including restrictions imposed to ensure that the
25 interest on any such bonds issued by the state as tax-exempt
26 bonds will not be included in the gross income of the holders
27 of such bonds for federal income tax purposes.

28 (b) All deeds or leases with respect to any real
29 property acquired with funds received by the trust from the
30 Preservation 2000 Trust Fund shall contain such covenants and
31 restrictions as are sufficient to ensure that the use of such

1 real property at all times complies with s. 375.051 and s. 9,
 2 Art. XII of the State Constitution. All deeds or leases with
 3 respect to any real property acquired with funds received by
 4 the trust from the Florida Forever Trust Fund shall contain
 5 such covenants and restrictions as are sufficient to ensure
 6 that the use of such real property at all times complies with
 7 s. 11(e), Art. VII of the State Constitution. Each deed or
 8 lease shall contain a reversion, conveyance, or termination
 9 clause that will vest title in the Board of Trustees of the
 10 Internal Improvement Trust Fund if any of the covenants or
 11 restrictions are violated by the titleholder or leaseholder or
 12 by some third party with the knowledge of the titleholder or
 13 leaseholder.

14 Section 23. Notwithstanding the provisions of section
 15 259.101(3)(c), Florida Statutes (1993) (Section 5, Chapter
 16 92-288, Laws of Florida), regarding the set-aside of funds for
 17 land acquisition in areas of critical state concern, \$2.5
 18 million from funds previously approved is hereby designated to
 19 the City of Apalachicola for land acquisition associated with
 20 the area of critical state concern to assist in completing the
 21 City's sewer improvement program. This appropriation is
 22 contingent upon the review of the city's proposal and a
 23 determination by the Department of Community Affairs that the
 24 proposed project is an eligible use of funds under the Florida
 25 Communities Trust program. The city is not required to provide
 26 matching funds for the approved project.

27 Section 24. Subsection (9) of section 211.3103,
 28 Florida Statutes, is repealed.

29 Section 25. Section 259.037, Florida Statutes, is
 30 created to read:

31 259.037 Land Management Uniform Accounting Council.--

1 (1) The Land Management Uniform Accounting Council is
 2 created within the Department of Environmental Protection and
 3 shall consist of the director of the Division of State Lands,
 4 the director of the Division of Recreation and Parks, the
 5 director of the Office of Coastal and Aquatic Managed Areas,
 6 and the director of the Office of Greenways and Trails of the
 7 Department of Environmental Protection; the director of the
 8 Division of Forestry of the Department of Agriculture and
 9 Consumer Services; the executive director of the Fish and
 10 Wildlife Conservation Commission; and the director of the
 11 Division of Historical Resources of the Department of State, or
 12 their respective designees. Each state agency represented on
 13 the council shall have one vote. The chair of the council
 14 shall rotate annually in the foregoing order of state
 15 agencies. The agency of the representative serving as chair
 16 of the council shall provide staff support for the council.
 17 The Division of State Lands shall serve as the recipient of
 18 and repository for the council's documents. The council shall
 19 meet initially by May 20, 2000, and thereafter at the request
 20 of the chair.

21 (2) The Auditor General and the director of the Office
 22 of Program Policy Analysis and Government Accountability, or
 23 their designees, shall advise the council to ensure that
 24 appropriate accounting procedures are utilized and that a
 25 uniform method of collecting and reporting accurate costs of
 26 land management activities are created and can be used by all
 27 agencies.

28 (3) The council shall, by June 20, 2000, review
 29 current land management practices and group closely related
 30 land management activities and needs into categories. All
 31 land management activities and costs must be assigned to a

1 specific category, and any single activity or cost may not be
2 assigned to more than one category. Administrative costs,
3 such as planning or training, shall be segregated from other
4 management activities. Specific management activities and
5 costs must initially be grouped, at a minimum, within the
6 following categories:

- 7 (a) Resource management.
8 (b) Administration.
9 (c) New facility construction.
10 (d) Facility maintenance.

11
12 Upon adoption of the initial list of land management
13 categories by the council, agencies assigned to manage
14 conservation or recreation lands shall, on July 1, 2000, begin
15 to account for land management costs in accordance with the
16 category to which an expenditure is assigned.

17 (4) The council shall provide its adopted complete
18 list of land management categories, including subcategories,
19 to the Governor, the Board of Trustees of the Internal
20 Improvement Trust Fund, the President of the Senate, the
21 Speaker of the House of Representatives, and the Acquisition
22 and Restoration Council by January 1, 2001.

23 (5) The council shall report agencies' expenditures
24 pursuant to the adopted categories to the President of the
25 Senate and the Speaker of the House of Representatives
26 annually, beginning July 1, 2001. The council shall also
27 provide this report to the Acquisition and Restoration Council
28 for inclusion in its annual report required pursuant to s.
29 259.105.

1 (6) Should the council determine that the list of land
2 management categories needs to be revised, it shall meet upon
3 the call of the chair.

4 Section 26. Section 163.065, Florida Statutes, is
5 created to read:

6 163.065 Miami River Improvement Act.--

7 (1) SHORT TITLE.--This section may be cited as the
8 "Miami River Improvement Act."

9 (2) FINDINGS; PURPOSE.--

10 (a) The Miami River Commission was created by chapter
11 98-402, Laws of Florida, to be the official coordinating
12 clearinghouse for all public policy and projects related to
13 the Miami River.

14 (b) The United States Congress has provided funding
15 for an initial federal share of 80 percent for the
16 environmental and navigational improvements to the Miami
17 River. The governments of the City of Miami and Miami-Dade
18 County are coordinating with the Legislature and the Florida
19 Department of Environmental Protection to determine how the 20
20 percent local share will be provided.

21 (c) Successful revitalizing and sustaining the urban
22 redevelopment of the areas adjacent to the Miami River is
23 dependent on addressing, through an integrated and coordinated
24 intergovernmental plan, a range of varied components essential
25 to a healthy urban environment, including cultural,
26 recreational, economic, and transportation components.

27 (d) The purpose of this section is to ensure a
28 coordinated federal, state, regional, and local effort to
29 improve the Miami River and adjacent areas.

30
31

1 (3) AGENCY ASSISTANCE.--All state and regional
2 agencies shall provide all available assistance to the Miami
3 River Commission in the conduct of its activities.

4 (4) PLAN.--The Miami River Commission, working with
5 the City of Miami and Miami-Dade County, shall consider the
6 merits of the following:

7 (a) Development and adoption of an urban infill and
8 redevelopment plan, under ss. 163.2511-163.2526, and
9 participating state and regional agencies shall review the
10 proposed plan for the purposes of consistency with applicable
11 law.

12 (b) Development of a greenway/riverwalk and blueway,
13 where appropriate, as authorized in s. 260.101, to provide an
14 attractive and safe connector system of bicycle, pedestrian,
15 and transit routes and water taxis to link jobs, waterfront
16 amenities, and people, and contribute to the comprehensive
17 revitalization of the Miami River.

18 Section 27. Except as otherwise provided in this act,
19 this act shall take effect upon becoming a law.
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