

By Representative Dockery

1                                   A bill to be entitled  
2           An act relating to rural land conservation  
3           easements; creating the "Rural and Family Lands  
4           Protection Act"; providing definitions;  
5           creating s. 570.70, F.S.; providing for the  
6           purchase of rural land conservation easements  
7           by the Department of Agriculture and Consumer  
8           Services; providing criteria; providing for an  
9           application, selection, and agreement process;  
10          directing the department to seek funds from  
11          federal sources; amending s. 201.15, F.S.;  
12          providing for the distribution of certain taxes  
13          to the department to be used for the program;  
14          creating s. 215.619, F.S.; providing for bonds;  
15          providing an effective date.

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

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19           Section 1. Short title; definitions.--

20           (1) This act may be cited as the "Rural and Family  
21 Lands Protection Act."

22           (2) For the purposes of this act:

23           (a) "Department" means the Department of Agriculture  
24 and Consumer Services.

25           (b) "Rural land conservation easements" means  
26 perpetual or nonperpetual easements purchased by the  
27 department under terms and procedures set forth in this act.

28           (c) "Resource conservation agreements" means contracts  
29 for conservation services with annual payments for terms of  
30 not less than 5 years and not more than 10 years.

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1           Section 2. Section 570.70, Florida Statutes, is  
2 created to read:

3           570.70 Purchase of rural land conservation easement.--

4           (1) For the purposes of limiting subdivision and  
5 conversion of farmland that provides economic, open space,  
6 water, and wildlife benefits and retaining those benefits for  
7 current and future generations, the Department of Agriculture  
8 and Consumer Services shall conduct a program to purchase  
9 rural land conservation easements of the following types:

10           (a) Permanent easements as described in s. 704.06(2).

11           (b) Thirty-year easements, the provisions of s. 704.06  
12 to the contrary notwithstanding.

13           (2) Rural land conservation easements shall be  
14 targeted toward timber and ranch lands as defined by the  
15 department in consultation with the Department of  
16 Environmental Protection, the Fish and Wildlife Conservation  
17 Commission, and the water management districts.

18           (3) The department shall establish an application,  
19 selection, and agreement process to:

20           (a) Emphasize wildlife and watershed benefits in  
21 selecting applicants.

22           (b) Define benefits, propose management plans, and  
23 establish easement values.

24           (c) Appraise individual rural land conservation  
25 easements and underlying fee values.

26           (d) Make annual or lump-sum payments for easements or  
27 agreements.

28           (4) Agreements to a 30-year easement shall grant the  
29 right to the department, the Board of Trustees of the Internal  
30 Improvement Trust Fund, or the water management district where  
31 the property is located to purchase the property or extend the

1 easement based on current value at the time easement was  
2 conveyed plus a reasonable escalator not to exceed 60 percent.

3 (5) Easement payments may be distributed in a lump sum  
4 from the proceeds of bonds issued pursuant to s. 215.619 or on  
5 a prorated basis.

6 (6) For the purpose of compensating landowners for  
7 habitat and hydrological restoration, the department may enter  
8 into resource conservation agreements with landowners. To  
9 qualify for a resource conservation agreement, a landowner  
10 must:

11 (a) Enter into a conservation easement;

12 (b) Enter into a perpetual rural land conservation  
13 easement; or

14 (c) Enter into an enforceable option in favor of the  
15 Board of Trustees of the Internal Improvement Trust Fund or  
16 its designee to purchase a perpetual easement on the property  
17 or fee title. This option shall run with the term of the  
18 resource conservation agreement and shall establish the price  
19 of the purchase at appraised value at the time of entering  
20 into the agreement. The resource conservation agreement and  
21 the accompanying option may be renewed by mutual consent. The  
22 landowner and the state may agree on a purchase of the  
23 easement at any time during the period of the resource  
24 conservation agreement.

25 (7) The department is directed to seek funds from  
26 federal sources to utilize in combination with state funds to  
27 carry out the purposes of the program described in this  
28 section.

29 (8) The department is directed to develop criteria for  
30 use of bonded, appropriated, or grant funds to purchase  
31 conservation easements.

1           Section 3. Paragraph (c) of subsection (1) of section  
2 201.15, Florida Statutes, as amended by chapters 99-247,  
3 2000-151, 2000-170, and 2000-197, Laws of Florida, is amended  
4 to read:

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

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

15           (c) The remainder of the moneys distributed under this  
16 subsection, after the required payments under paragraph (a),  
17 shall be paid into the State Treasury to the credit of the  
18 General Revenue Fund of the state to be used and expended for  
19 the purposes for which the General Revenue Fund was created  
20 and exists by law or to the Ecosystem Management and  
21 Restoration Trust Fund or to the Marine Resources Conservation  
22 Trust Fund as provided in subsection (11) or to the Department  
23 of Agriculture and Consumer Services for payment or interest  
24 on bonds for rural land conservation easements. Interest on  
25 bonds for rural land conservation easements may not exceed \$10  
26 million in fiscal year 2002, \$20 million in fiscal year 2003,  
27 \$30 million in fiscal year 2004, \$40 million in fiscal year  
28 2005, \$50 million in fiscal year 2006, \$60 million in fiscal  
29 year 2007, \$70 million in fiscal year 2008, \$80 million in  
30 fiscal year 2009, \$90 million in fiscal year 2010, and \$100  
31 million in fiscal year 2011.

1 Section 4. Section 215.619, Florida Statutes, is  
2 created to read:

3 215.619 Bonds for rural land conservation easements.--

4 (1) The issuance of bonds for the purchase of rural  
5 land conservation easements is hereby authorized.

6 (2) Bonds issued pursuant to this section shall be  
7 payable from taxes distributed in s. 201.15(1)(c).

8 Section 5. This act shall take effect July 1, 2001.  
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11 HOUSE SUMMARY

12 Creates the "Rural and Family Lands Protection Act" for  
13 the purpose of limiting subdivision and conversion of  
14 farmland that provides economic, open space, water, and  
15 wildlife benefits by directing the Department of  
16 Agriculture and Consumer Services to conduct a program to  
17 purchase rural land conservation easements. See bill for  
18 details.  
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