Florida Senate - 2001

By Senator Laurent

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1	Section 3. 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 to retain those benefits for
7	current and future generations, the department shall conduct a
8	program to purchase rural land conservation easements of the
9	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 policies
15	of the 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 will 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
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1 easement based on current value at the time the easement was conveyed plus a reasonable escalator not to exceed 60 percent. 2 3 (5) Easement payments may be distributed in a lump sum from the proceeds of bonds under s. 215.619 or on a prorated 4 5 annual basis. б Easements may not prevent landowners from (6) 7 transferring the underlying fee title with the easement. 8 For the purpose of compensating landowners for (7) habitat and hydrological restoration the department may enter 9 10 into resource conservation agreements with the landowners. In 11 order to qualify for a resource conservation agreement a landowner must enter into: 12 13 (a) A conservation easement; A perpetual rural land conservation easement; or 14 (b) An enforceable option in favor of the Board of 15 (C) Trustees of the Internal Improvement Trust Fund or its 16 17 designee to purchase a perpetual easement on the property or fee title. This option would run with the term of the resource 18 19 conservation agreement and would establish the price of the purchase at appraised value at the time of entering into the 20 21 agreement. The resource conservation agreement and the accompanying option may be renewed by mutual consent. The 22 landowner and the state may agree on a purchase of the 23 24 easement at any time during the period of the resource 25 conservation agreement. The department is directed to seek funds from 26 (8) 27 federal sources to use in combination with state funds to 28 carry out the purposes of the program described in this 29 section. 30 31

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1	(9) The department is directed to develop criteria for
2	use of bonded, appropriated, or grant funds to purchase
3	conservation easements.
4	Section 4. Paragraph (c) of subsection (1) of section
5	201.15, Florida Statutes, as amended by chapters 99-247,
6	2000-151, 2000-170, and 2000-197, Laws of Florida, is amended
7	to read:
8	201.15 Distribution of taxes collectedAll taxes
9	collected under this chapter shall be distributed as follows
10	and shall be subject to the service charge imposed in s.
11	215.20(1), except that such service charge shall not be levied
12	against any portion of taxes pledged to debt service on bonds
13	to the extent that the amount of the service charge is
14	required to pay any amounts relating to the bonds:
15	(1) Sixty-two and sixty-three hundredths percent of
16	the remaining taxes collected under this chapter shall be used
17	for the following purposes:
18	(c) The remainder of the moneys distributed under this
19	subsection, after the required payments under paragraph (a),
20	shall be paid into the State Treasury to the credit of the
21	General Revenue Fund of the state to be used and expended for
22	the purposes for which the General Revenue Fund was created
23	and exists by law or to the Ecosystem Management and
24	Restoration Trust Fund or to the Marine Resources Conservation
25	Trust Fund as provided in subsection (11) or to the Department
26	of Agriculture and Consumer Services for payment or interest
27	on bonds for rural land conservation easements. Interest on
28	bonds for rural land conservation easements may not exceed \$10
29	million in fiscal year 2002, \$20 million in 2003, \$30 million
30	in 2004, \$40 million in 2005, \$50 million in 2006, \$60 million
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in 2007, \$70 million in 2008, \$80 million in 2009, \$90 million in 2010, and \$100 million in fiscal year 2011. Section 5. Section 215.619, Florida Statutes, is created to read: 215.619 Bonds for rural land conservation easements.--The issuance of bonds for the purchase of rural (1)land conservation easements is authorized. (2) Bonds issued pursuant to this section shall be payable from taxes distributed in s. 201.15(1)(c). Section 6. This act shall take effect July 1, 2001. LEGISLATIVE SUMMARY Creates the "Rural and Family Lands Protection Act" for the purpose of limiting subdivision and conversion of farmland that provides economic, open space, water, and wildlife benefits by directing the Department of Agriculture and Consumer Services to conduct a program to purchase rural land conservation easements. (See bill for details.)

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