

Bill No. CS for SB 2122

Amendment No.      Barcode 421674

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Latvala moved the following amendment:

**Senate Amendment (with title amendment)**

On page 2, line 2,

insert:

Section 1. Effective July 1, 2002, subsection (3) of section 259.101, Florida Statutes, is amended to read:

259.101 Florida Preservation 2000 Act.--

(3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.--Less the costs of issuance, the costs of funding reserve accounts, and other costs with respect to the bonds, the proceeds of bonds issued pursuant to this act shall be deposited into the Florida Preservation 2000 Trust Fund created by s. 375.045. Beginning in fiscal year 2002-2003, funds from the unencumbered cash balance less approved commitments remaining in the agency subaccounts in the Preservation 2000 Trust Fund may be used by those agencies to fund projects described in paragraphs (3)(a)-(h) of s. 259.105 which meet the criteria for funding pursuant to the Florida Forever Program or the Florida Preservation 2000 Program. Starting in fiscal year

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1 2001-2002, from the cash balance less approved commitments  
2 encumbered that is remaining in the Florida Preservation 2000  
3 Trust Fund, the Legislature shall appropriate up to \$75  
4 million from the Florida Preservation 2000 Trust Fund to the  
5 Save Our Everglades Trust Fund to be used for the acquisition  
6 of lands needed for restoration of the Florida Everglades  
7 pursuant to s. 373.470. Furthermore, the remaining cash  
8 balances available for the Preservation 2000 programs  
9 described in paragraphs (a)-(g) shall be adjusted pro rata for  
10 the amount appropriated by the Legislature. Additionally, any  
11 cash balances less approved commitments encumbered available  
12 to the programs described in paragraphs (a)-(g) at the time  
13 the first series of Florida Forever Program bonds is issued  
14 and proceeds are deposited into the Florida Forever Trust Fund  
15 shall be reserved and remain unavailable for expenditure for  
16 projects pursuant to the Florida Preservation 2000 Program  
17 until and unless the programs receiving an allocation under  
18 the Florida Forever Program described in paragraphs (3)(a)-(h)  
19 of s. 259.105, respectively, have encumbered all funds  
20 available from the first Florida Forever Program bond issue.  
21 To the extent that projects eligible for Preservation 2000  
22 funds can also be eligible for Florida Forever funds, the  
23 proceeds from Florida Forever bonds may be used to complete  
24 transactions begun with Preservation 2000 funds or meet cash  
25 needs for property transactions begun in fiscal year  
26 2000-2001. The remaining proceeds shall be distributed by the  
27 Department of Environmental Protection in the following  
28 manner:

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

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1 for the acquisition of coastal lands.

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

11 (c) Ten percent to the Department of Community Affairs  
12 to provide land acquisition grants and loans to local  
13 governments through the Florida Communities Trust pursuant to  
14 part III of chapter 380. From funds allocated to the trust,  
15 \$3 million annually shall be used by the Division of State  
16 Lands within the Department of Environmental Protection to  
17 implement the Green Swamp Land Protection Initiative  
18 specifically for the purchase of conservation easements, as  
19 defined in s. 380.0677(4), of lands, or severable interests or  
20 rights in lands, in the Green Swamp Area of Critical State  
21 Concern. From funds allocated to the trust, \$3 million  
22 annually shall be used by the Monroe County Comprehensive Plan  
23 Land Authority specifically for the purchase of any real  
24 property interest in either those lands subject to the Rate of  
25 Growth Ordinances adopted by local governments in Monroe  
26 County or those lands within the boundary of an approved  
27 Conservation and Recreation Lands project located within the  
28 Florida Keys or Key West Areas of Critical State Concern;  
29 however, title to lands acquired within the boundary of an  
30 approved Conservation and Recreation Lands project may, in  
31 accordance with an approved joint acquisition agreement, vest

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1 in the Board of Trustees of the Internal Improvement Trust  
2 Fund. Of the remaining funds allocated to the trust after the  
3 above transfers occur, one-half shall be matched by local  
4 governments on a dollar-for-dollar basis. To the extent  
5 allowed by federal requirements for the use of bond proceeds,  
6 the trust shall expend Preservation 2000 funds to carry out  
7 the purposes of part III of chapter 380.

8 (d) Two and nine-tenths percent to the Department of  
9 Environmental Protection for the purchase of inholdings and  
10 additions to state parks. For the purposes of this paragraph,  
11 "state park" means all real property in the state under the  
12 jurisdiction of the Division of Recreation and Parks of the  
13 department, or which may come under its jurisdiction.

14 (e) Two and nine-tenths percent to the Division of  
15 Forestry of the Department of Agriculture and Consumer  
16 Services to fund the acquisition of state forest inholdings  
17 and additions pursuant to s. 589.07.

18 (f) Two and nine-tenths percent to the Fish and  
19 Wildlife Conservation Commission to fund the acquisition of  
20 inholdings and additions to lands managed by the commission  
21 which are important to the conservation of fish and wildlife.

22 (g) One and three-tenths percent to the Department of  
23 Environmental Protection for the Florida Greenways and Trails  
24 Program, to acquire greenways and trails or greenways and  
25 trails systems pursuant to chapter 260, including, but not  
26 limited to, abandoned railroad rights-of-way and the Florida  
27 National Scenic Trail.

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29 Local governments may use federal grants or loans, private  
30 donations, or environmental mitigation funds, including  
31 environmental mitigation funds required pursuant to s.

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1 338.250, for any part or all of any local match required for  
2 the purposes described in this subsection. Bond proceeds  
3 allocated pursuant to paragraph (c) may be used to purchase  
4 lands on the priority lists developed pursuant to s. 259.035.  
5 Title to lands purchased pursuant to paragraphs (a), (d), (e),  
6 (f), and (g) shall be vested in the Board of Trustees of the  
7 Internal Improvement Trust Fund. Title to lands purchased  
8 pursuant to paragraph (c) may be vested in the Board of  
9 Trustees of the Internal Improvement Trust Fund. The board of  
10 trustees shall hold title to land protection agreements and  
11 conservation easements that were or will be acquired pursuant  
12 to s. 380.0677, and the Southwest Florida Water Management  
13 District and the St. Johns River Water Management District  
14 shall monitor such agreements and easements within their  
15 respective districts until the state assumes this  
16 responsibility.

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18 (Redesignate subsequent sections.)

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21 ===== T I T L E A M E N D M E N T =====

22 And the title is amended as follows:

23 On page 1, line 2, after the semicolon

24

25 insert:

26 providing for the funding of projects under the

27 Florida Forever Program and the Florida

28 Preservation 2000 Program;

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