

1                                   A bill to be entitled  
2           An act relating to the acquisition and  
3           conservation of lands; amending s. 253.025,  
4           F.S.; revising requirements for appraisals when  
5           acquiring state lands; amending s. 253.034,  
6           F.S.; providing conditions under which  
7           state-owned lands may be considered  
8           nonconservation lands; revising requirements  
9           for land management plans for conservation  
10          lands be submitted to the Division of State  
11          Lands; providing that land use plans for  
12          nonconservation lands be submitted to the  
13          Division of State Lands at least every 10  
14          years; revising requirements for the sale of  
15          surplus lands; authorizing the Division of  
16          State Lands to determine the sale price of  
17          surplus lands; providing the Board of Trustees  
18          of the Internal Improvement Trust Fund with the  
19          authority to adopt rules; directing the  
20          Division of State Lands to prepare a state  
21          inventory of all federal lands, and all lands  
22          titled in the name of the state, a state  
23          agency, a water management district, or a local  
24          government; requiring the participation of  
25          counties in developing a county inventory;  
26          providing conditions under which certain lands  
27          may be made available for purchase under the  
28          state's land surplus process; creating s.  
29          253.0341, F.S.; authorizing counties and local  
30          governments to submit requests to surplus state  
31          lands directly to the board of trustees;

1 providing for an expedited surplusing process;  
2 amending s. 253.042, F.S.; revising the  
3 circumstances under which the board of trustees  
4 may directly exchange state-owned lands;  
5 providing requirements for the exchange of  
6 donated conservation lands; providing  
7 requirements for the conveyance of donated  
8 nonconservation lands; providing requirements  
9 for the exchange of other state-owned lands;  
10 amending s. 253.7823, F.S.; revising  
11 requirements for the disposition of former  
12 barge canal surplus lands; amending s. 259.032,  
13 F.S.; revising requirements for updating land  
14 management plans; revising provisions allowing  
15 the use of reverted funds; requiring that state  
16 agencies prepare and submit to the Department  
17 of Revenue for certification application  
18 requests for payment in lieu of taxes from  
19 local governments; revising requirements for  
20 payment in lieu of taxes; amending s. 259.0322,  
21 F.S.; providing that payments in lieu of taxes  
22 be made for 20 consecutive years; amending s.  
23 259.036, F.S.; requiring land management review  
24 teams to submit a 10-year land management plan  
25 update to the Acquisition and Restoration  
26 Council; amending s. 259.041, F.S.; clarifying  
27 certain requirements regarding the acquisition  
28 of state-owned lands; amending s. 373.139,  
29 F.S.; repealing obsolete requirements; revising  
30 requirements for appraisals when acquiring  
31 water management district lands; amending s.

1 373.59, F.S.; revising provisions requiring  
2 payments in lieu of taxes from funds deposited  
3 into the Water Management Lands Trust Fund;  
4 amending s. 373.5905, F.S.; revising provisions  
5 requiring reinstatement of payments in lieu of  
6 taxes; amending s. 260.016, F.S.; revising  
7 powers of the department in evaluating lands  
8 for acquisition of greenways and trails;  
9 requiring the exchange of lands between the  
10 Board of Trustees of the Internal Improvement  
11 Trust Fund and a local government under certain  
12 conditions; providing purposes for which  
13 exchanged lands may be used; requiring the  
14 exchange of lands between the Board of Trustees  
15 of the Internal Improvement Trust Fund and a  
16 private entity by July 1, 2003; repealing s.  
17 253.84, F.S., relating to the acquisition of  
18 lands containing cattle-dipping vats; repealing  
19 s. 259.0345, F.S., relating to the Florida  
20 Forever Advisory Council; providing an  
21 effective date.

22  
23 Be It Enacted by the Legislature of the State of Florida:

24  
25 Section 1. Paragraph (a) of subsection (6) of section  
26 253.025, Florida Statutes, is amended to read:

27 253.025 Acquisition of state lands for purposes other  
28 than preservation, conservation, and recreation.--

29 (6) Prior to negotiations with the parcel owner to  
30 purchase land pursuant to this section, title to which will  
31

1 vest in the board of trustees, an appraisal of the parcel  
2 shall be required as follows:

3 (a) Each parcel to be acquired shall have at least one  
4 appraisal. Two appraisals are required when the estimated  
5 value of the parcel ~~first appraisal~~ exceeds \$1 million  
6 ~~\$500,000. However, when the values of both appraisals exceed~~  
7 ~~\$500,000 and differ significantly, a third appraisal may be~~  
8 ~~obtained.~~ When a parcel is estimated to be worth \$100,000 or  
9 less and the director of the Division of State Lands finds  
10 that the cost of ~~obtaining~~ an outside appraisal is not  
11 justified, a comparable sales analysis or other reasonably  
12 prudent procedures may be used by the division to estimate the  
13 value of the parcel, provided the public's interest is  
14 reasonably protected. The state is not required to appraise  
15 the value of lands and appurtenances that are being donated to  
16 the state. ~~an appraisal prepared by the division may be used.~~

17 Section 2. Subsections (2), (5), and (6) of section  
18 253.034, Florida Statutes, are amended and subsections (8),  
19 (9), (10), and (11) are renumbered as subsections (9), (10),  
20 (11), and (12), respectively, and a new subsection (8) is  
21 added to that section, to read:

22 253.034 State-owned lands; uses.--

23 (2) As used in this section, the following phrases  
24 have the following meanings:

25 (a) "Multiple use" means the harmonious and  
26 coordinated management of timber, recreation, conservation of  
27 fish and wildlife, forage, archaeological and historic sites,  
28 habitat and other biological resources, or water resources so  
29 that they are utilized in the combination that will best serve  
30 the people of the state, making the most judicious use of the  
31 land for some or all of these resources and giving

1 consideration to the relative values of the various resources.  
2 Where necessary and appropriate for all state-owned lands that  
3 are larger than 1,000 acres in project size and are managed  
4 for multiple uses, buffers may be formed around any areas that  
5 require special protection or have special management needs.  
6 Such buffers shall not exceed more than one-half of the total  
7 acreage. Multiple uses within a buffer area may be restricted  
8 to provide the necessary buffering effect desired. Multiple  
9 use in this context includes both uses of land or resources by  
10 more than one management entity, which may include private  
11 sector land managers. In any case, lands identified as  
12 multiple-use lands in the land management plan shall be  
13 managed to enhance and conserve the lands and resources for  
14 the enjoyment of the people of the state.

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

1           (c) "Conservation lands" means lands that are  
2 currently managed for conservation, outdoor resource-based  
3 recreation, or archaeological or historic preservation, except  
4 those lands that were acquired solely to facilitate the  
5 acquisition of other conservation lands. Lands acquired for  
6 uses other than conservation, outdoor resource-based  
7 recreation, or archaeological or historic preservation shall  
8 not be designated conservation lands except as otherwise  
9 authorized under this section. These lands shall include, but  
10 not be limited to, the following: correction and detention  
11 facilities, military installations and facilities, state  
12 office buildings, maintenance yards, state university or state  
13 community college campuses, agricultural field stations or  
14 offices, tower sites, law enforcement and license facilities,  
15 laboratories, hospitals, clinics, and other sites that possess  
16 no significant natural or historical resources. However,  
17 lands acquired solely to facilitate the acquisition of other  
18 conservation lands, and for which the land management plan has  
19 not yet been completed or updated, may be evaluated by the  
20 Board of Trustees of the Internal Improvement Trust Fund on a  
21 case-by-case basis to determine if they will be designated  
22 conservation lands.

23  
24 Lands acquired by the state as a gift, through donation, or by  
25 any other conveyance for which no consideration was paid, and  
26 which are not managed for conservation, outdoor resource-based  
27 recreation, or archaeological or historic preservation under a  
28 land management plan approved by the board of trustees are not  
29 conservation lands.

30           (5) Each manager of conservation lands shall submit to  
31 the Division of State Lands a land management plan at least

1 every 10 years in a form and manner prescribed by rule by the  
2 board and in accordance with the provisions of s. 259.032.  
3 Each manager of conservation lands shall also update a land  
4 management plan whenever the manager proposes to add new  
5 facilities or make substantive land use or management changes  
6 that were not addressed in the approved plan, or within one  
7 year of the addition of significant new lands. Each manager of  
8 nonconservation lands shall submit to the Division of State  
9 Lands a land use plan at least every 10 years in a form and  
10 manner prescribed by rule by the board. The division shall  
11 review each plan for compliance with the requirements of this  
12 subsection and the requirements of the rules established by  
13 the board pursuant to this section. All land use plans,  
14 whether for single-use or multiple-use properties, shall  
15 include an analysis of the property to determine if any  
16 significant natural or cultural resources are located on the  
17 property. Such resources include archaeological and historic  
18 sites, state and federally listed plant and animal species,  
19 and imperiled natural communities and unique natural features.  
20 If such resources occur on the property, the manager shall  
21 consult with the Division of State Lands and other appropriate  
22 agencies to develop management strategies to protect such  
23 resources. Land use plans shall also provide for the control  
24 of invasive nonnative plants and conservation of soil and  
25 water resources, including a description of how the manager  
26 plans to control and prevent soil erosion and soil or water  
27 contamination. Land use plans submitted by a manager shall  
28 include reference to appropriate statutory authority for such  
29 use or uses and shall conform to the appropriate policies and  
30 guidelines of the state land management plan. Plans for  
31 managed areas larger than 1,000 acres shall contain an

1 analysis of the multiple-use potential of the property, which  
2 analysis shall include the potential of the property to  
3 generate revenues to enhance the management of the property.  
4 Additionally, the plan shall contain an analysis of the  
5 potential use of private land managers to facilitate the  
6 restoration or management of these lands. In those cases where  
7 a newly acquired property has a valid conservation plan that  
8 was developed by a soil and conservation district, such plan  
9 shall be used to guide management of the property until a  
10 formal land use plan is completed.~~Each entity managing~~  
11 ~~conservation lands shall submit to the Division of State Lands~~  
12 ~~a land management plan at least every 5 years in a form and~~  
13 ~~manner prescribed by rule by the board. All management plans,~~  
14 ~~whether for single-use or multiple-use properties, shall~~  
15 ~~specifically describe how the managing entity plans to~~  
16 ~~identify, locate, protect and preserve, or otherwise use~~  
17 ~~fragile nonrenewable resources, such as archaeological and~~  
18 ~~historic sites, as well as other fragile resources, including~~  
19 ~~endangered plant and animal species, and provide for the~~  
20 ~~conservation of soil and water resources and for the control~~  
21 ~~and prevention of soil erosion. Land management plans~~  
22 ~~submitted by an entity shall include reference to appropriate~~  
23 ~~statutory authority for such use or uses and shall conform to~~  
24 ~~the appropriate policies and guidelines of the state land~~  
25 ~~management plan. All land management plans for parcels larger~~  
26 ~~than 1,000 acres shall contain an analysis of the multiple-use~~  
27 ~~potential of the parcel, which analysis shall include the~~  
28 ~~potential of the parcel to generate revenues to enhance the~~  
29 ~~management of the parcel. Additionally, the land management~~  
30 ~~plan shall contain an analysis of the potential use of private~~  
31 ~~land managers to facilitate the restoration or management of~~



1 ~~these lands. In those cases where a newly acquired property~~  
2 ~~has a valid conservation plan, the plan shall be used to guide~~  
3 ~~management of the property until a formal land management plan~~  
4 ~~is completed.~~

5 (a) The Division of State Lands shall make available  
6 to the public a copy of each land management plan for parcels  
7 that exceed 160 acres in size. The council shall review each  
8 plan for compliance with the requirements of this subsection,  
9 the requirements of chapter 259, and the requirements of the  
10 rules established by the board pursuant to this section. The  
11 council shall also consider the propriety of the  
12 recommendations of the managing entity with regard to the  
13 future use of the property, the protection of fragile or  
14 nonrenewable resources, the potential for alternative or  
15 multiple uses not recognized by the managing entity, and the  
16 possibility of disposal of the property by the board. After  
17 its review, the council shall submit the plan, along with its  
18 recommendations and comments, to the board. The council shall  
19 specifically recommend to the board whether to approve the  
20 plan as submitted, approve the plan with modifications, or  
21 reject the plan.

22 (b) The Board of Trustees of the Internal Improvement  
23 Trust Fund shall consider the land management plan submitted  
24 by each entity and the recommendations of the council and the  
25 Division of State Lands and shall approve the plan with or  
26 without modification or reject such plan. The use or  
27 possession of any such lands that is not in accordance with an  
28 approved land management plan is subject to termination by the  
29 board.

30 (6) The Board of Trustees of the Internal Improvement  
31 Trust Fund shall determine which lands, the title to which is

1 vested in the board, may be surplus. For conservation lands,  
2 the board shall make a determination that the lands are no  
3 longer needed for conservation purposes and may dispose of  
4 them by a two-thirds vote. In the case of a land exchange  
5 involving the disposition of conservation lands, the board  
6 must determine by at least a two-thirds vote that the exchange  
7 will result in a net positive conservation benefit. For all  
8 other lands, the board shall make a determination that the  
9 lands are no longer needed and may dispose of them by majority  
10 vote.

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

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

31

1           (c) At least every 10 ~~5~~ years, as a component of each  
2 land management plan or land use plan and in a form and manner  
3 prescribed by rule by the board, each manager ~~management~~  
4 ~~entity~~ shall evaluate and indicate to the board those lands  
5 that ~~the entity manages which~~ are not being used for the  
6 purpose for which they were originally leased. For  
7 conservation lands, the council shall review and shall  
8 recommend to the board whether such lands should be retained  
9 in public ownership or disposed of by the board. For  
10 nonconservation lands, the division shall review such lands  
11 and shall recommend to the board whether such lands should be  
12 retained in public ownership or disposed of by the board. Such  
13 ~~lands shall be reviewed by the council for its recommendation~~  
14 ~~as to whether such lands should be disposed of by the board.~~

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

21           (e) Prior to any decision by the board to surplus  
22 lands, the Acquisition and Restoration Council shall review  
23 and make recommendations to the board concerning the request  
24 for surplusage. The council shall determine whether the  
25 request for surplusage is compatible with the resource values  
26 of and management objectives for such lands.

27           (f) In reviewing lands owned by the board, the council  
28 shall consider whether such lands would be more appropriately  
29 owned or managed by the county or other unit of local  
30 government in which the land is located. The council shall  
31 recommend to the board whether a sale, lease, or other

1 conveyance to a local government would be in the best  
2 interests of the state and local government. The provisions of  
3 this paragraph in no way limit the provisions of ss. 253.111  
4 and 253.115. Such lands shall be offered to the state, county,  
5 or local government for a period of 30 days. Permittable uses  
6 for such surplus lands may include public schools; public  
7 libraries; fire or law enforcement substations; and  
8 governmental, judicial, or recreational centers. County or  
9 local government requests for surplus lands shall be expedited  
10 throughout the surplus process. If the county or local  
11 government does not elect to purchase such lands in accordance  
12 with s. 253.111, then any surplus determination involving  
13 other governmental agencies shall be made upon the board  
14 deciding the best public use of the lands. Surplus properties  
15 in which governmental agencies have expressed no interest  
16 shall then be available for sale on the private market.

17 (g) The sale price of lands determined to be surplus  
18 pursuant to this subsection shall be determined by the  
19 division and shall take into consideration an appraisal of the  
20 property, or, when the estimated value of the land is less  
21 than \$100,000, a comparable sales analysis or a broker's  
22 opinion of value, and ~~sold for appraised value or the price~~  
23 ~~paid by the state or a water management district to originally~~  
24 ~~acquire the lands, whichever is greater, except when the~~  
25 ~~board or its designee determines a different sale price is in~~  
26 ~~the public interest. However, for those lands sold as surplus~~  
27 ~~to any unit of government, the price shall not exceed the~~  
28 ~~price paid by the state or a water management district to~~  
29 ~~originally acquire the lands.~~ A unit of government that which  
30 acquires title to lands hereunder for less than appraised  
31 value may not sell or transfer title to all or any portion of

1 the lands to any private owner for a period of 10 years. Any  
2 unit of government seeking to transfer or sell lands pursuant  
3 to this paragraph shall first allow the board of trustees to  
4 reacquire such lands for the price at which the board ~~they~~  
5 sold such lands.

6 (h) Where a unit of government acquired land by gift,  
7 donation, grant, quit-claim deed, or other such conveyance  
8 where no monetary consideration was exchanged, the price of  
9 land sold as surplus may be based on one appraisal. In the  
10 event that a single appraisal yields a value equal to or  
11 greater than \$1 million, a second appraisal is required. The  
12 individual or entity requesting the surplus shall select and  
13 use appraisers from the list of approved appraisers maintained  
14 by the Division of State Lands in accordance with s.  
15 253.025(6)(b). The individual or entity requesting the surplus  
16 is to incur all costs of the appraisals.

17 (i) After reviewing the recommendations of the  
18 council, the board shall determine whether lands identified  
19 for surplus are to be held for other public purposes or  
20 whether such lands are no longer needed. The board may  
21 require an agency to release its interest in such lands. For  
22 an agency that has requested the use of a property that was to  
23 be declared as surplus, said agency must have the property  
24 under lease within 6 months of the date of expiration of the  
25 notice provisions required under ss. 253.034(6) and 253.111.

26 (j) Requests for surplus may be made by any public  
27 or private entity or person. All requests shall be submitted  
28 to the lead managing agency for review and recommendation to  
29 the council or its successor. Lead managing agencies shall  
30 have 90 days to review such requests and make recommendations.  
31 Any surplus requests that have not been acted upon within

1 the 90-day time period shall be immediately scheduled for  
2 hearing at the next regularly scheduled meeting of the council  
3 or its successor. Requests for surplus pursuant to this  
4 paragraph shall not be required to be offered to local or  
5 state governments as provided in paragraph (f).

6 (k) Proceeds from any sale of surplus lands pursuant  
7 to this subsection shall be deposited into the fund from which  
8 such lands were acquired. However, if the fund from which the  
9 lands were originally acquired no longer exists, such proceeds  
10 shall be deposited into an appropriate account to be used for  
11 land management by the lead managing agency assigned the lands  
12 prior to the lands being declared surplus. Funds received from  
13 the sale of surplus nonconservation lands, or lands that were  
14 acquired by gift, by donation, or for no consideration, shall  
15 be deposited into the Internal Improvement Trust Fund.

16 (l) Notwithstanding the provisions of this subsection,  
17 no such disposition of land shall be made if such disposition  
18 would have the effect of causing all or any portion of the  
19 interest on any revenue bonds issued to lose the exclusion  
20 from gross income for federal income tax purposes.

21 (m) The sale of filled, formerly submerged land that  
22 does not exceed 5 acres in area is not subject to review by  
23 the council or its successor.

24 (n) The board may adopt rules to implement the  
25 provisions of this section, which may include procedures for  
26 administering surplus land requests and criteria for when the  
27 division may approve requests to surplus nonconservation lands  
28 on behalf of the board.

29 (8)(a) Notwithstanding other provisions of this  
30 section, the Division of State Lands is directed to prepare a  
31 state inventory of all federal lands and all lands titled in

1 the name of the state, a state agency, a water management  
2 district, or a local government on a county-by-county basis,  
3 with the exception of rights-of-way for existing, proposed, or  
4 anticipated transportation facilities. The division must  
5 identify state or water management district lands purchased  
6 with funds distributed according to the Florida Forever  
7 Program, the Preservation 2000 Program, the Conservation and  
8 Recreation Lands Program, the Environmentally Endangered Lands  
9 Program, the Save Our Rivers Program, or the Save Our Coast  
10 Program. To facilitate the development of the state inventory,  
11 each county shall direct the appropriate county office with  
12 authority over the information to provide the division with a  
13 county inventory of all lands identified as federal lands and  
14 lands titled in the name of the state, a state agency, a water  
15 management district, or a local government.

16 (b) The state inventory must distinguish between lands  
17 purchased by the state or a water management district as part  
18 of a core parcel or within original project boundaries, as  
19 those terms are used to meet the surplus requirements of  
20 subsection (6), and lands purchased by the state, a state  
21 agency, or a water management district which were not  
22 essential or necessary to meet the conservation purposes of  
23 the programs which funded the acquisition.

24 (c) In any county in which more than 50 percent of the  
25 lands within the county boundary are federal lands or lands  
26 titled in the name of the state, a state agency, a water  
27 management district, or a local government, those lands titled  
28 in the name of the state or a state agency that were purchased  
29 using funds from any program identified in paragraph (a) and  
30 that are not essential or necessary to meet the original  
31 purposes of the program under which they were acquired may,

1 upon request of a public or private entity, be made available  
2 for purchase through the state's surplus process. Priority  
3 consideration shall be given to buyers, public or private,  
4 willing to return the property to productive use so long as  
5 the property can be reentered onto the county ad valorem tax  
6 roll. Property acquired with matching funds from a local  
7 government shall not be made available for purchase without  
8 the consent of said local government.

9 Section 3. Section 253.0341, Florida Statutes, is  
10 created to read:

11 253.0341 Surplus of state-owned lands to counties or  
12 local governments.--Counties and local governments may submit  
13 surplus requests for state-owned lands directly to the  
14 board of trustees. County or local government requests for the  
15 state to surplus conservation or nonconservation lands,  
16 whether for purchase or exchange, shall be expedited  
17 throughout the surplus process. Property jointly acquired  
18 by the state and other entities shall not be surplus without  
19 the consent of all joint owners.

20 (1) The decision to surplus state-owned  
21 nonconservation lands may be made by the board without a  
22 review of, or a recommendation on, the request from the  
23 Acquisition and Restoration Council or the Division of State  
24 Lands. Such requests for nonconservation lands shall be  
25 considered by the board within 60 days of the board's receipt  
26 of the request.

27 (2) County or local government requests for the  
28 surplus of state-owned conservation lands are subject to  
29 review of and recommendation on the request to the board by  
30 the Acquisition and Restoration Council. Requests to surplus  
31



1 conservation lands shall be considered by the board within 120  
2 days of the board's receipt of the request.

3 Section 4. Section 253.42, Florida Statutes, is  
4 amended to read:

5 (Substantial rewording of section. See  
6 s. 253.42, F.S., for present text.)

7 253.42 Board of trustees may exchange lands.--The  
8 provisions of this section apply to all lands owned by, vested  
9 in, or titled in the name of the board whether the lands were  
10 acquired by the state as a purchase, or through gift,  
11 donation, or any other conveyance for which no consideration  
12 was paid.

13 (1) The board of trustees may exchange any lands owned  
14 by, vested in, or titled in the name of the board for other  
15 lands in the state owned by counties, local governments,  
16 individuals, or private or public corporations, and may fix  
17 the terms and conditions of any such exchange. Any  
18 nonconservation lands that were acquired by the state through  
19 gift, donation, or any other conveyance for which no  
20 consideration was paid must first be offered at no cost to a  
21 county or local government unless otherwise provided in a deed  
22 restriction of record or other legal impediment, and so long  
23 as the use proposed by the county or local government is for a  
24 public purpose. For conservation lands acquired by the state  
25 through gift, donation, or any other conveyance for which no  
26 consideration was paid, the state may request land of equal  
27 conservation value from the county or local government but no  
28 other consideration.

29 (2) In exchanging state-owned lands not acquired by  
30 the state through gift, donation, or any other conveyance for  
31 which no consideration was paid, with counties or local

1 governments, the board shall require an exchange of equal  
2 value. Equal value is defined as the conservation benefit of  
3 the lands being offered for exchange by a county or local  
4 government being equal or greater in conservation benefit than  
5 the state-owned lands. Such exchanges may include cash  
6 transactions if based on an appropriate measure of value of  
7 the state-owned land, but must also include the determination  
8 of a net-positive conservation benefit by the Acquisition and  
9 Restoration Council, irrespective of appraised value.

10 (3) The board shall select and agree upon the state  
11 lands to be exchanged and the lands to be conveyed to the  
12 state and shall pay or receive any sum of money deemed  
13 necessary by the board for the purpose of equalizing the value  
14 of the exchanged property. The board is authorized to make and  
15 enter into contracts or agreements for such purpose or  
16 purposes.

17 Section 5. Section 253.7823, Florida Statutes, is  
18 amended to read:

19 253.7823 Disposition of surplus lands; compensation of  
20 counties located within the Cross Florida Canal Navigation  
21 District.--

22 (1) The department may ~~shall~~ identify parcels of  
23 former barge canal lands that ~~which~~ may be sold or exchanged  
24 ~~as needed to repay the counties of the Cross Florida Canal~~  
25 ~~Navigation District any sums due them pursuant to s.~~  
26 ~~253.783(2)(e).~~ In identifying said surplus lands, the  
27 department shall give priority to ~~consideration to lands~~  
28 ~~situated outside the greenways' boundaries,~~ those lands not  
29 having high recreation or conservation values, and those  
30 having the greatest assessed valuations. Although the  
31 department shall immediately begin to identify the parcels of

1 surplus lands to be sold, the department shall offer the lands  
2 for sale in a manner designed to maximize the amounts received  
3 over a reasonable period of time.

4 ~~(2) Disbursements of amounts due the counties shall be~~  
5 ~~made on a semiannual basis and shall be completed before any~~  
6 ~~additional lands or easements may be acquired within the~~  
7 ~~boundaries of the greenways.~~

8 ~~(2)(3) In addition to lands identified for sale to~~  
9 ~~generate funds for repayment of counties pursuant to s.~~  
10 ~~253.783(2)(e),~~ The department is authorized to sell surplus  
11 additional former canal lands if they are determined to be  
12 unnecessary to the effective provision of the type of  
13 recreational opportunities and conservation activities for  
14 which the greenway was ~~greenways were~~ created.

15 ~~(4) Until repayment to the counties pursuant to s.~~  
16 ~~253.783(2)(e) has been completed, any agency wishing to use~~  
17 ~~former canal lands must pay the full assessed value of said~~  
18 ~~lands.~~

19 Section 6. Paragraph (c) of subsection (10) and  
20 subsections (12), (13), and (16) of section 259.032, Florida  
21 Statutes, are amended to read:

22 259.032 Conservation and Recreation Lands Trust Fund;  
23 purpose.--

24 (10)

25 (c) Once a plan is adopted, the managing agency or  
26 entity shall update the plan at least every 10 5 years in a  
27 form and manner prescribed by rule of the board of trustees.  
28 Such updates, for parcels over 160 acres, shall be developed  
29 with input from an advisory group. Such plans may include  
30 transfers of leasehold interests to appropriate conservation  
31 organizations or governmental entities designated by the Land

1 Acquisition and Management Advisory Council or its successor,  
2 for uses consistent with the purposes of the organizations and  
3 the protection, preservation, conservation, restoration, and  
4 proper management of the lands and their resources. Volunteer  
5 management assistance is encouraged, including, but not  
6 limited to, assistance by youths participating in programs  
7 sponsored by state or local agencies, by volunteers sponsored  
8 by environmental or civic organizations, and by individuals  
9 participating in programs for committed delinquents and  
10 adults.

11 (12)(a) Beginning July 1, 1999, the Legislature shall  
12 make available sufficient funds annually from the Conservation  
13 and Recreation Lands Trust Fund to the department for payment  
14 in lieu of taxes to qualifying counties and local governments  
15 as defined in paragraph (b) for all actual tax losses incurred  
16 as a result of board of trustees acquisitions for state  
17 agencies under the Florida Forever program or the Florida  
18 Preservation 2000 program during any year. Reserved funds not  
19 used for payments in lieu of taxes in any year shall revert to  
20 the fund to be used for land management ~~acquisition~~ in  
21 accordance with the provisions of this section.

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

23 1. To all counties that have a population of 150,000  
24 or fewer. Population levels shall be determined pursuant to s.  
25 11.031.

26 2. To all local governments located in eligible  
27 counties.

28 3. To Glades County, where a privately owned and  
29 operated prison leased to the state has recently been opened  
30 and where privately owned and operated juvenile justice  
31 facilities leased to the state have recently been constructed

1 and opened, a payment in lieu of taxes, in an amount that  
2 offsets the loss of property tax revenue, which funds have  
3 already been appropriated and allocated from the Department of  
4 Correction's budget for the purpose of reimbursing amounts  
5 equal to lost ad valorem taxes.

6  
7 ~~Counties and local governments that did not receive payments~~  
8 ~~in lieu of taxes for lands purchased pursuant to s. 259.101~~  
9 ~~during fiscal year 1999-2000, if such counties and local~~  
10 ~~governments would have received payments pursuant to this~~  
11 ~~subsection as that section existed on June 30, 1999, shall~~  
12 ~~receive retroactive payments for such tax losses.~~

13 (c) If insufficient funds are available in any year to  
14 make full payments to all qualifying counties and local  
15 governments, such counties and local governments shall receive  
16 a pro rata share of the moneys available.

17 (d) The payment amount shall be based on the average  
18 amount of actual taxes paid on the property for the 3 years  
19 preceding acquisition. Applications for payment in lieu of  
20 taxes shall be made no later than January 31 of the year  
21 following acquisition. No payment in lieu of taxes shall be  
22 made for properties which were exempt from ad valorem taxation  
23 for the year immediately preceding acquisition.

24 (e) If property which was subject to ad valorem  
25 taxation was acquired by a tax-exempt entity for ultimate  
26 conveyance to the state under this chapter, payment in lieu of  
27 taxes shall be made for such property based upon the average  
28 amount of taxes paid on the property for the 3 years prior to  
29 its being removed from the tax rolls. The department shall  
30 certify to the Department of Revenue those properties that may  
31 be eligible under this provision. Once eligibility has been

1 established, that county or local government shall receive 10  
2 consecutive annual payments for each tax loss, and no further  
3 eligibility determination shall be made during that period.

4 (f)~~(e)~~ Payment in lieu of taxes pursuant to this  
5 subsection shall be made annually to qualifying counties and  
6 local governments after certification by the Department of  
7 Revenue that the amounts applied for are reasonably  
8 appropriate, based on the amount of actual taxes paid on the  
9 eligible property. With the assistance of the local government  
10 requesting payment in lieu of taxes, the state agency that  
11 acquired the land is responsible for preparing and submitting  
12 application requests for payment to the Department of Revenue  
13 for certification, and after the Department of Environmental  
14 Protection has provided supporting documents to the  
15 Comptroller and has requested that payment be made in  
16 accordance with the requirements of this section.

17 (g)~~(f)~~ If the board of trustees conveys to a local  
18 government title to any land owned by the board, any payments  
19 in lieu of taxes on the land made to the local government  
20 shall be discontinued as of the date of the conveyance.

21  
22 For the purposes of this subsection, "local government"  
23 includes municipalities, the county school board, mosquito  
24 control districts, and any other local government entity which  
25 levies ad valorem taxes, with the exception of a water  
26 management district.

27 (13) Moneys credited to the fund each year which are  
28 not used for management, maintenance, or capital improvements  
29 pursuant to subsection (11); for payment in lieu of taxes  
30 pursuant to subsection (12); or for the purposes of subsection

31

1 (5) shall be available for the acquisition of land pursuant  
2 to this section.

3 ~~(16) Notwithstanding other provisions of law relating~~  
4 ~~to the purpose of the Conservation and Recreation Lands Trust~~  
5 ~~Fund, and for the 2002-2003 fiscal year only, the purposes of~~  
6 ~~the trust fund shall include funding issues provided in the~~  
7 ~~General Appropriations Act. This subsection expires July 1,~~  
8 ~~2003.~~

9 Section 7. Section 259.0322, Florida Statutes, is  
10 amended to read:

11 259.0322 Reinstitution of payments in lieu of taxes;  
12 duration.--If the Department of Environmental Protection ~~or a~~  
13 ~~water management district~~ has made a payment in lieu of taxes  
14 to a governmental entity and subsequently suspended such  
15 payment, the department ~~or water management district~~ shall  
16 reinstitute appropriate payments and continue the payments in  
17 consecutive years until the governmental entity has received a  
18 total of 10 payments for each tax loss.

19 Section 8. Subsection (2) of section 259.036, Florida  
20 Statutes, is amended to read:

21 259.036 Management review teams.--

22 (2) The land management review team shall review  
23 select management areas parcels of managed land prior to the  
24 date the manager managing agency is required to submit a  
25 10-year its 5-year land management plan update. For management  
26 areas that exceed 1,000 acres in size, the Division of State  
27 Lands shall schedule a land management review at least every 5  
28 years.A copy of the review shall be provided to the manager  
29 managing agency, the Division of State Lands, and the  
30 Acquisition and Restoration Council Land Acquisition and  
31 Management Advisory Council or its successor. The manager

1 ~~managing agency~~ shall consider the findings and  
2 recommendations of the land management review team in  
3 finalizing the required 10-year ~~5-year~~ update of its  
4 management plan.

5 Section 9. Subsection (1) of section 259.041, Florida  
6 Statutes, is amended to read:

7 259.041 Acquisition of state-owned lands for  
8 preservation, conservation, and recreation purposes.--

9 (1) Neither the Board of Trustees of the Internal  
10 Improvement Trust Fund nor its duly authorized agent shall  
11 commit the state, through any instrument of negotiated  
12 contract or agreement for purchase, to the purchase of lands  
13 with or without appurtenances unless the provisions of this  
14 section have been fully complied with. Except for the  
15 requirements of subsections (3), (14), and (15), the board of  
16 trustees may waive any requirements of this section, may waive  
17 any rules adopted pursuant to this section, notwithstanding  
18 chapter 120, However, the board of trustees may waive any  
19 requirement of this section, except the requirements of  
20 subsections (3), (14), and (15); or, notwithstanding chapter  
21 120, may waive any rules adopted pursuant to this section,  
22 except rules adopted pursuant to subsections (3), (14), and  
23 (15) or may substitute other reasonably prudent procedures,  
24 provided the public's interest is reasonably protected. The  
25 title to lands acquired pursuant to this section shall vest in  
26 the board of trustees as provided in s. 253.03(1), unless  
27 otherwise provided by law, and all such titled lands, title  
28 to which is vested in the board of trustees pursuant to this  
29 section, shall be administered pursuant to the provisions of  
30 s. 253.03.

31



1           Section 10. Subsection (3) of section 373.139, Florida  
2 Statutes, is amended to read:

3           373.139 Acquisition of real property.--

4           (3) The initial 5-year work plan and any subsequent  
5 modifications or additions thereto shall be adopted by each  
6 water management district after a public hearing. Each water  
7 management district shall provide at least 14 days' advance  
8 notice of the hearing date and shall separately notify each  
9 county commission within which a proposed work plan project or  
10 project modification or addition is located of the hearing  
11 date.

12           (a) Appraisal reports, offers, and counteroffers are  
13 confidential and exempt from the provisions of s. 119.07(1)  
14 until an option contract is executed or, if no option contract  
15 is executed, until 30 days before a contract or agreement for  
16 purchase is considered for approval by the governing board.  
17 However, each district may, at its discretion, disclose  
18 appraisal reports to private landowners during negotiations  
19 for acquisitions using alternatives to fee simple techniques,  
20 if the district determines that disclosure of such reports  
21 will bring the proposed acquisition to closure. In the event  
22 that negotiation is terminated by the district, the ~~title~~  
23 ~~information~~, appraisal report, offers, and counteroffers shall  
24 become available pursuant to s. 119.07(1). Notwithstanding the  
25 provisions of this section and s. 259.041, a district and the  
26 Division of State Lands may share and disclose ~~title~~  
27 ~~information~~, appraisal reports, appraisal information, offers,  
28 and counteroffers when joint acquisition of property is  
29 contemplated. A district and the Division of State Lands shall  
30 maintain the confidentiality of such ~~title information~~,  
31 appraisal reports, appraisal information, offers, and

1 counteroffers in conformance with this section and s. 259.041,  
2 except in those cases in which a district and the division  
3 have exercised discretion to disclose such information. A  
4 district may disclose appraisal information, offers, and  
5 counteroffers to a third party who has entered into a  
6 contractual agreement with the district to work with or on the  
7 behalf of or to assist the district in connection with land  
8 acquisitions. The third party shall maintain the  
9 confidentiality of such information in conformance with this  
10 section. In addition, a district may use, as its own,  
11 appraisals obtained by a third party provided the appraiser is  
12 selected from the district's list of approved appraisers and  
13 the appraisal is reviewed and approved by the district.

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

24 (c) The Secretary of Environmental Protection shall  
25 release acquisition moneys from the appropriate account or  
26 trust fund to a district following receipt of a resolution  
27 adopted by the governing board identifying the lands being  
28 acquired and certifying that such acquisition is consistent  
29 with the 5-year work plan of acquisition and other provisions  
30 of this section. The governing board also shall provide to the  
31 Secretary of Environmental Protection a copy of all certified

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

15 Section 11. Subsection (10) of section 373.59, Florida  
16 Statutes, is amended to read:

17 373.59 Water Management Lands Trust Fund.--

18 (10)(a) Beginning July 1, 1999, not more than  
19 one-fourth of the ~~land management~~ funds provided for in  
20 subsections (1) and (8) in any year shall be reserved annually  
21 by a governing board, during the development of its annual  
22 operating budget, for payments in lieu of taxes for all actual  
23 tax losses incurred as a result of governing board  
24 acquisitions for water management districts pursuant to ss.  
25 259.101, 259.105, 373.470, and this section during any year.  
26 Reserved funds not used for payments in lieu of taxes in any  
27 year shall revert to the Water Management Lands Trust Fund to  
28 be used in accordance with the provisions of this section.

29 (b) Payment in lieu of taxes shall be available:  
30  
31

1           1. To all counties that have a population of 150,000  
2 or fewer. Population levels shall be determined pursuant to s.  
3 11.031.

4           2. To all local governments located in eligible  
5 counties and whose lands are bought and taken off the tax  
6 rolls.

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

25           (c) If sufficient funds are unavailable in any year to  
26 make full payments to all qualifying counties and local  
27 governments, such counties and local governments shall receive  
28 a pro rata share of the moneys available.

29           (d) The payment amount shall be based on the average  
30 amount of actual taxes paid on the property for the 3 years  
31 preceding acquisition. Applications for payment in lieu of

1 taxes shall be made no later than January 31 of the year  
2 following acquisition. No payment in lieu of taxes shall be  
3 made for properties which were exempt from ad valorem taxation  
4 for the year immediately preceding acquisition.

5 (e) If property that was subject to ad valorem  
6 taxation was acquired by a tax-exempt entity for ultimate  
7 conveyance to the state under this chapter, payment in lieu of  
8 taxes shall be made for such property based upon the average  
9 amount of taxes paid on the property for the 3 years prior to  
10 its being removed from the tax rolls. The water management  
11 districts shall certify to the Department of Revenue those  
12 properties that may be eligible under this provision. Once  
13 eligibility has been established, that governmental entity  
14 shall receive 10 consecutive annual payments for each tax  
15 loss, and no further eligibility determination shall be made  
16 during that period.

17 (f)~~(e)~~ Payment in lieu of taxes pursuant to this  
18 subsection shall be made annually to qualifying counties and  
19 local governments after certification by the Department of  
20 Revenue that the amounts applied for are reasonably  
21 appropriate, based on the amount of actual taxes paid on the  
22 eligible property, and after the water management districts  
23 have provided supporting documents to the Comptroller and have  
24 requested that payment be made in accordance with the  
25 requirements of this section. With the assistance of the local  
26 government requesting payment in lieu of taxes, the water  
27 management district that acquired the land is responsible for  
28 preparing and submitting application requests for payment to  
29 the Department of Revenue for certification.

30 (g)~~(f)~~ If a water management district conveys to a  
31 county or local government title to any land owned by the

1 district, any payments in lieu of taxes on the land made to  
2 the county or local government shall be discontinued as of the  
3 date of the conveyance.

4 ~~(g) The districts may make retroactive payments to~~  
5 ~~counties and local governments that did not receive payments~~  
6 ~~in lieu of taxes for lands purchased under s. 259.101 and this~~  
7 ~~section during fiscal year 1999-2000 if the counties and local~~  
8 ~~governments would have received those payments under ss.~~  
9 ~~259.032(12) and 373.59(14).~~

10 Section 12. Section 373.5905, Florida Statutes, is  
11 amended to read:

12 373.5905 Reinstitution of payments in lieu of taxes;  
13 duration.--If ~~the Department of Environmental Protection or a~~  
14 water management district has made a payment in lieu of taxes  
15 to a governmental entity and subsequently suspended such  
16 payment, the ~~department or~~ water management district shall  
17 reinstitute appropriate payments and continue the payments in  
18 consecutive years until the governmental entity has received a  
19 total of 10 payments for each tax loss.

20 Section 13. Section 373.5905, Florida Statutes, is  
21 amended to read:

22 373.5905 Reinstitution of payments in lieu of taxes;  
23 duration.--If ~~the Department of Environmental Protection or a~~  
24 water management district has made a payment in lieu of taxes  
25 to a governmental entity and subsequently suspended such  
26 payment, the ~~department or~~ water management district shall  
27 reinstitute appropriate payments and continue the payments in  
28 consecutive years until the governmental entity has received a  
29 total of 20 ~~10~~ payments for each tax loss.

30 Section 14. Subsection (2) of section 260.016, Florida  
31 Statutes, is amended to read:

- 1           260.016 General powers of the department.--
- 2           (2) The department shall:
- 3           (a) Evaluate lands for the acquisition of greenways
- 4 and trails and compile a list of suitable corridors,
- 5 greenways, and trails, ranking them in order of priority for
- 6 proposed acquisition. The department shall devise a method of
- 7 evaluation which includes, but is not limited to, the
- 8 consideration of+
- 9           ~~1.~~ the importance and function of such corridors
- 10 within the statewide system.
- 11           ~~2. Potential for local sharing in the acquisition,~~
- 12 ~~development, operation, or maintenance of greenway and trail~~
- 13 ~~corridors.~~
- 14           ~~3. Costs of acquisition, development, operation, and~~
- 15 ~~maintenance.~~
- 16           (b) Maintain an updated list of abandoned and
- 17 to-be-abandoned railroad rights-of-way.
- 18           (c) Provide information to public and private agencies
- 19 and organizations on abandoned rail corridors which are or
- 20 will be available for acquisition from the railroads or for
- 21 lease for interim recreational use from the Department of
- 22 Transportation.
- 23           (d) Develop and implement a process for designation of
- 24 lands and waterways as a part of the statewide system of
- 25 greenways and trails, which shall include:
- 26           1. Development and dissemination of criteria for
- 27 designation.
- 28           2. Development and dissemination of criteria for
- 29 changes in the terms or conditions of designation, including
- 30 withdrawal or termination of designation. A landowner may have
- 31 his or her lands removed from designation by providing the

1 department with a written request that contains an adequate  
2 description of such lands to be removed. Provisions shall be  
3 made in the designation agreement for disposition of any  
4 future improvements made to the land by the department.

5 ~~3. Compilation of available information on and field~~  
6 ~~verification of the characteristics of the lands and waterways~~  
7 ~~as they relate to the developed criteria.~~

8 3.4. Public notice pursuant to s. 120.525 in all  
9 phases of the process.

10 ~~5. Actual notice to the landowner by certified mail at~~  
11 ~~least 7 days before any public meeting regarding the~~  
12 ~~department's intent to designate.~~

13 ~~4.6.~~ Written authorization from the landowner in the  
14 form of a lease or other instrument for the designation and  
15 granting of public access, if appropriate, to a landowner's  
16 property.

17 ~~5.7. Development of A greenway or trail use plan as a~~  
18 ~~part of the designation agreement which shall. In any~~  
19 ~~particular segment of a greenway or trail, the plan components~~  
20 ~~must be compatible with connecting segments and, at a minimum,~~  
21 describe the types and intensities of uses of the property.

22 (e) Implement the plan for the Florida Greenways and  
23 Trails System as adopted by the Florida Greenways Coordinating  
24 Council on September 11, 1998.

25 Section 15. In an exchange of lands contemplated  
26 between the Board of Trustees of the Internal Improvement  
27 Trust Fund and a local government for donated state lands no  
28 longer needed for conservation purposes, lands proposed for  
29 exchange by the state and the local government shall be  
30 considered of equal value and no further consideration shall  
31 be required, provided that the donated land being offered for



1 exchange by the state is not greater than 200 acres, and  
2 provided that the local government has been negotiating the  
3 exchange of lands with the Division of State Lands of the  
4 Department of Environmental Protection for a period of not  
5 less than 1 year. Notwithstanding the exchange and surplusings  
6 requirements of chapters 253 and 259, Florida Statutes, and  
7 the notice requirements of chapter 270, Florida Statutes, the  
8 board of trustees shall exchange lands with a local government  
9 under these provisions no later than August 15, 2003. Lands  
10 conveyed to a local government under these provisions must be  
11 used for a public purpose. Deeds of conveyance conveyed to a  
12 local government under these provisions shall contain a  
13 reverter clause that automatically reverts title to the board  
14 of trustees if the local government fails to use the property  
15 for a public purpose.

16 Section 16. Effective upon becoming law and  
17 notwithstanding the exchange and surplusings requirements of  
18 chapters 253 and 259, Florida Statutes, and the notice  
19 requirements of chapter 270, Florida Statutes, in an exchange  
20 of lands contemplated between the Board of Trustees of the  
21 Internal Improvement Trust Fund and a private entity for  
22 formerly submerged sovereignty lands, heretofore known as the  
23 "Chapman Exchange", the board shall exchange lands with the  
24 private entity under these provisions no later than July 1,  
25 2003. This exchange satisfies the constitutional public  
26 interest test for the following reasons:

27 1. The land to be exchanged by the state is not  
28 greater than 200 acres, is within a rural county of critical  
29 economic concern, and is adjacent to lands previously sold by  
30 the state to private interests.

31

1           2. The land to be exchanged is currently off the tax  
2 rolls of the county, which is at the 10 mill constitutional  
3 cap.  
4           3. The private entity has been negotiating an exchange  
5 with the Division of State Lands for a period of not less than  
6 one year, has acquired lands within the division's project  
7 areas for conservation land acquisition, and owns land  
8 adjacent to the subject state parcel.  
9           4. The exchange shall be of equal monetary value. The  
10 private entity shall provide any difference in appraised value  
11 at the time of closing in cash or the equivalent.  
12           Section 17. Sections 253.84 and 259.0345, Florida  
13 Statutes, are repealed.  
14           Section 18. Except as otherwise provided, this act  
15 shall take effect July 1, 2003.  
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