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1 A bill to be entitled

2 An act relating to state lands; amending s. 253.034, F.S.;
3 requiring the lead land managing agency of conservation and
4 nonconservation lands to utilize inmates of the Department
5 of Corrections and certain juvenile offenders who are
6 committed to the Department of Juvenile Justice to assist
7 in management or restoration activities on managed lands in
8 certain circumstances; specifying circumstances in which
9 such inmates and juvenile offenders may assist in
10 performing conservation activities; directing land managing
11 agencies to make certain evaluations concerning the
12 potential use of inmates and juvenile offenders to assist
13 in the initial management or restoration of specified
14 property; revising a limitation on the availability of
15 certain lands for purchase through the state's surplusing
16 process; amending s. 259.032, F.S.; directing land managing
17 agencies to make certain evaluations concerning the
18 potential use of inmates and juvenile offenders to assist
19 in the initial management or restoration of specified
20 property; revising a provision pertaining to payments for
21 tax losses; revising a provision pertaining to further
22 determination of eligibility for such payment; amending s.
23 259.041, F.S.; providing that certain conservation
24 easements shall not interfere with the landowner's ability
25 to conduct agricultural operations; providing that any
26 provision that constitutes such interference is
27 unenforceable against the landowner; providing a
28 definition; amending s. 373.5905, F.S.; revising a
29 provision pertaining to payments by a water management

30 district in lieu of taxes; amending s. 946.40, F.S.;

31 requiring the Department of Corrections to enter into

32 agreements with state agencies that are responsible for

33 managing state lands in certain circumstances; specifying

34 that the purpose of such agreements is to utilizing inmate

35 labor for state land management activities; providing for

36 reimbursement to the department from such state agencies;

37 specifying circumstances in which a state agency is not

38 required to enter into such agreements; reenacting ss.

39 159.705(11), 259.032 (9), (10)(b), and (e), and 253.036,

40 F.S., relating to powers of research and development

41 authorities, the Conservation and Recreation Lands Trust

42 Fund, and forest management, respectively, for the purpose

43 of incorporating the amendment to s. 253.034, F.S., in

44 references thereto; reenacting ss. 253.034(11), 259.036(1)

45 and (4), and 259.04(1)(a), F.S., relating to uses of state-

46 owned lands, management review teams, and powers of the

47 Board of Trustees of the Internal Improvement Trust Fund,

48 respectively, for the purpose of incorporating the

49 amendment to s. 259.032, F.S., in references thereto;

50 reenacting ss. 259.035(3) and (6) and 259.105(3)(j), (5),

51 (9), and (19), F.S., relating to the Acquisition and

52 Restoration Council and the Florida Forever Act,

53 respectively, for the purpose of incorporating the

54 amendments to ss. 253.034 and 259.032, F.S., in references

55 thereto; reenacting s. 260.016(3)(b), F.S., relating to the

56 power of the Department of Environmental Protection

57 exchange state-owned lands, for the purpose of

58 incorporating the amendment to s. 259.041, F.S., in a

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59 reference thereto; reenacting ss. 944.053(2),
 60 946.002(1)(a), and 946.503(2), F.S., relating to forestry
 61 work camps, the requirement of labor, and programs not
 62 included in the definition of the term "correctional work
 63 program," respectively, for the purpose of incorporating
 64 the amendment to s. 946.40, F.S., in references thereto;
 65 providing an effective date.
 66

67 Be It Enacted by the Legislature of the State of Florida:
 68

69 Section 1. Subsection (5) and paragraph (c) of subsection
 70 (8) of section 253.034, Florida Statutes, are amended,
 71 subsection (13) is added to said section, and subsection (11) of
 72 said section is reenacted for the purpose of incorporating the
 73 amendment to section 259.032, Florida Statutes, in a reference
 74 thereto, to read:

75 253.034 State-owned lands; uses.--

76 (5) Each manager of conservation lands shall submit to the
 77 Division of State Lands a land management plan at least every 10
 78 years in a form and manner prescribed by rule by the board and
 79 in accordance with the provisions of s. 259.032. Each manager of
 80 conservation lands shall also update a land management plan
 81 whenever the manager proposes to add new facilities or make
 82 substantive land use or management changes that were not
 83 addressed in the approved plan, or within 1 year of the addition
 84 of significant new lands. Each manager of nonconservation lands
 85 shall submit to the Division of State Lands a land use plan at
 86 least every 10 years in a form and manner prescribed by rule by
 87 the board. The division shall review each plan for compliance

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88 with the requirements of this subsection and the requirements of
89 the rules established by the board pursuant to this section. All
90 land use plans, whether for single-use or multiple-use
91 properties, shall include an analysis of the property to
92 determine if any significant natural or cultural resources are
93 located on the property. Such resources include archaeological
94 and historic sites, state and federally listed plant and animal
95 species, and imperiled natural communities and unique natural
96 features. If such resources occur on the property, the manager
97 shall consult with the Division of State Lands and other
98 appropriate agencies to develop management strategies to protect
99 such resources. Land use plans shall also provide for the
100 control of invasive nonnative plants and conservation of soil
101 and water resources, including a description of how the manager
102 plans to control and prevent soil erosion and soil or water
103 contamination. Land use plans submitted by a manager shall
104 include reference to appropriate statutory authority for such
105 use or uses and shall conform to the appropriate policies and
106 guidelines of the state land management plan. Plans for managed
107 areas larger than 1,000 acres shall contain an analysis of the
108 multiple-use potential of the property, which analysis shall
109 include the potential of the property to generate revenues to
110 enhance the management of the property. Additionally, the plan
111 shall contain an analysis of the potential use of private land
112 managers to facilitate the restoration or management of these
113 lands. In those cases where a newly acquired property has a
114 valid conservation plan that was developed by a soil and
115 conservation district, such plan shall be used to guide
116 management of the property until a formal land use plan is

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117 completed. Pursuant to subsection (13), managing agencies are
 118 directed to evaluate the potential use of inmates and juvenile
 119 offenders to assist in the initial management or restoration of
 120 newly acquired property to determine if such use is cost-
 121 effective and logistically practicable.

122 (a) The Division of State Lands shall make available to
 123 the public a copy of each land management plan for parcels that
 124 exceed 160 acres in size. The council shall review each plan for
 125 compliance with the requirements of this subsection, the
 126 requirements of chapter 259, and the requirements of the rules
 127 established by the board pursuant to this section. The council
 128 shall also consider the propriety of the recommendations of the
 129 managing entity with regard to the future use of the property,
 130 the protection of fragile or nonrenewable resources, the
 131 potential for alternative or multiple uses not recognized by the
 132 managing entity, and the possibility of disposal of the property
 133 by the board. After its review, the council shall submit the
 134 plan, along with its recommendations and comments, to the board.
 135 The council shall specifically recommend to the board whether to
 136 approve the plan as submitted, approve the plan with
 137 modifications, or reject the plan.

138 (b) The Board of Trustees of the Internal Improvement
 139 Trust Fund shall consider the land management plan submitted by
 140 each entity and the recommendations of the council and the
 141 Division of State Lands and shall approve the plan with or
 142 without modification or reject such plan. The use or possession
 143 of any such lands that is not in accordance with an approved
 144 land management plan is subject to termination by the board.

145 (8)

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146 (c) In any county having a population of 75,000 or less,
 147 or a county having a population of 100,000 or less that is
 148 contiguous to a county having a population of 75,000 or less, in
 149 which more than 30 ~~50~~ percent of the lands within the county
 150 boundary are federal lands and lands titled in the name of the
 151 state, a state agency, a water management district, or a local
 152 government, those lands titled in the name of the state or a
 153 state agency which are not essential or necessary to meet
 154 conservation purposes may, upon request of a public or private
 155 entity, be made available for purchase through the state's
 156 surplusing process. Rights-of-way for existing, proposed, or
 157 anticipated transportation facilities are exempt from the
 158 requirements of this paragraph. Priority consideration shall be
 159 given to buyers, public or private, willing to return the
 160 property to productive use so long as the property can be
 161 reentered onto the county ad valorem tax roll. Property acquired
 162 with matching funds from a local government shall not be made
 163 available for purchase without the consent of the local
 164 government.

165 (11) Lands listed as projects for acquisition may be
 166 managed for conservation pursuant to s. 259.032, on an interim
 167 basis by a private party in anticipation of a state purchase in
 168 accordance with a contractual arrangement between the acquiring
 169 agency and the private party that may include management service
 170 contracts, leases, cost-share arrangements or resource
 171 conservation agreements. Lands designated as eligible under this
 172 subsection shall be managed to maintain or enhance the resources
 173 the state is seeking to protect by acquiring the land. Funding
 174 for these contractual arrangements may originate from the

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175 documentary stamp tax revenue deposited into the Conservation
176 and Recreation Lands Trust Fund and Water Management Lands Trust
177 Fund. No more than 5 percent of funds allocated under the trust
178 funds shall be expended for this purpose.

179 (13)(a) The lead land managing agency of conservation and
180 nonconservation lands shall utilize inmates of the Department of
181 Corrections and juvenile offenders who are committed to the
182 Department of Juvenile Justice and who are at least 16 years of
183 age to assist in management or restoration activities on managed
184 lands if, after consulting with the Department of Corrections
185 and the Department of Juvenile Justice, the lead managing agency
186 determines that such use is cost-effective and logistically
187 practicable.

188 (b) Such inmates and juvenile offenders may assist in
189 performing conservation activities on lands subject to a
190 conservation easement granted to the state if:

191 1. The owner of lands subject to a conservation easement
192 granted to the state submits a written request for such
193 assistance to the managing agency of the conservation easement;
194 and

195 2. The managing agency determines, after consulting with
196 the Department of Corrections and the Department of Juvenile
197 Justice, that the requested assistance relates solely to the
198 performance of conservation activities on lands subject to a
199 conservation easement, and that such assistance is logistically
200 feasible and cost-effective.

201 Section 2. Subsection (7), paragraph (c) of subsection
202 (10), and paragraph (e) of subsection (12) of section 259.032,
203 Florida Statutes, are amended, and subsection (9) and paragraphs

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204 (b) and (e) of subsection (10) of said section are reenacted for
 205 purposes of incorporating the amendment to section 253.034,
 206 Florida Statutes, in references thereto, to read:

207 259.032 Conservation and Recreation Lands Trust Fund;
 208 purpose.--

209 (7) The board of trustees may enter into any contract
 210 necessary to accomplish the purposes of this section. The lead
 211 land managing agencies designated by the board of trustees also
 212 are directed by the Legislature to enter into contracts or
 213 interagency agreements with other governmental entities,
 214 including local soil and water conservation districts, or
 215 private land managers who have the expertise to perform specific
 216 management activities which a lead agency lacks, or which would
 217 cost more to provide in-house. Such activities shall include,
 218 but not be limited to, controlled burning, road and ditch
 219 maintenance, mowing, and wildlife assessments. Pursuant to s.
 220 253.34(13), managing agencies are directed to evaluate the
 221 potential use of inmates and juvenile offenders to assist in the
 222 initial management or restoration of newly acquired property to
 223 determine if such use is cost-effective and logistically
 224 practicable.

225 (9) All lands managed under this chapter and s. 253.034
 226 shall be:

227 (a) Managed in a manner that will provide the greatest
 228 combination of benefits to the public and to the resources.

229 (b) Managed for public outdoor recreation which is
 230 compatible with the conservation and protection of public lands.
 231 Such management may include, but not be limited to, the
 232 following public recreational uses: fishing, hunting, camping,

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233 bicycling, hiking, nature study, swimming, boating, canoeing,
 234 horseback riding, diving, model hobbyist activities, birding,
 235 sailing, jogging, and other related outdoor activities
 236 compatible with the purposes for which the lands were acquired.

237 (c) Managed for the purposes for which the lands were
 238 acquired, consistent with paragraph (11)(a).

239 (d) Concurrent with its adoption of the annual
 240 Conservation and Recreation Lands list of acquisition projects
 241 pursuant to s. 259.035, the board of trustees shall adopt a
 242 management prospectus for each project. The management
 243 prospectus shall delineate:

- 244 1. The management goals for the property;
- 245 2. The conditions that will affect the intensity of
 246 management;
- 247 3. An estimate of the revenue-generating potential of the
 248 property, if appropriate;
- 249 4. A timetable for implementing the various stages of
 250 management and for providing access to the public, if
 251 applicable;
- 252 5. A description of potential multiple-use activities as
 253 described in this section and s. 253.034;
- 254 6. Provisions for protecting existing infrastructure and
 255 for ensuring the security of the project upon acquisition;
- 256 7. The anticipated costs of management and projected
 257 sources of revenue, including legislative appropriations, to
 258 fund management needs; and
- 259 8. Recommendations as to how many employees will be needed
 260 to manage the property, and recommendations as to whether local

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261 governments, volunteer groups, the former landowner, or other
 262 interested parties can be involved in the management.

263 (e) Concurrent with the approval of the acquisition
 264 contract pursuant to s. 259.041(3)(c) for any interest in lands,
 265 the board of trustees shall designate an agency or agencies to
 266 manage such lands and shall evaluate and amend, as appropriate,
 267 the management policy statement for the project as provided by
 268 s. 259.035, consistent with the purposes for which the lands are
 269 acquired. For any fee simple acquisition of a parcel which is or
 270 will be leased back for agricultural purposes, or any
 271 acquisition of a less-than-fee interest in land that is or will
 272 be used for agricultural purposes, the Board of Trustees of the
 273 Internal Improvement Trust Fund shall first consider having a
 274 soil and water conservation district, created pursuant to
 275 chapter 582, manage and monitor such interests.

276 (f) State agencies designated to manage lands acquired
 277 under this chapter may contract with local governments and soil
 278 and water conservation districts to assist in management
 279 activities, including the responsibility of being the lead land
 280 manager. Such land management contracts may include a provision
 281 for the transfer of management funding to the local government
 282 or soil and water conservation district from the Conservation
 283 and Recreation Lands Trust Fund in an amount adequate for the
 284 local government or soil and water conservation district to
 285 perform its contractual land management responsibilities and
 286 proportionate to its responsibilities, and which otherwise would
 287 have been expended by the state agency to manage the property.

288 (g) Immediately following the acquisition of any interest
 289 in lands under this chapter, the Department of Environmental

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290 Protection, acting on behalf of the board of trustees, may issue
 291 to the lead managing entity an interim assignment letter to be
 292 effective until the execution of a formal lease.

293 (10)

294 (b) Individual management plans required by s. 253.034(5),
 295 for parcels over 160 acres, shall be developed with input from
 296 an advisory group. Members of this advisory group shall include,
 297 at a minimum, representatives of the lead land managing agency,
 298 comanaging entities, local private property owners, the
 299 appropriate soil and water conservation district, a local
 300 conservation organization, and a local elected official. The
 301 advisory group shall conduct at least one public hearing within
 302 the county in which the parcel or project is located. For those
 303 parcels or projects that are within more than one county, at
 304 least one areawide public hearing shall be acceptable and the
 305 lead managing agency shall invite a local elected official from
 306 each county. The areawide public hearing shall be held in the
 307 county in which the core parcels are located. Notice of such
 308 public hearing shall be posted on the parcel or project
 309 designated for management, advertised in a paper of general
 310 circulation, and announced at a scheduled meeting of the local
 311 governing body before the actual public hearing. The management
 312 prospectus required pursuant to paragraph (9)(d) shall be
 313 available to the public for a period of 30 days prior to the
 314 public hearing.

315 (c) Once a plan is adopted, the managing agency or entity
 316 shall update the plan at least every 10 years in a form and
 317 manner prescribed by rule of the board of trustees. Such
 318 updates, for parcels over 160 acres, shall be developed with

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319 input from an advisory group. Such plans may include transfers
 320 of leasehold interests to appropriate conservation organizations
 321 or governmental entities designated by the Land Acquisition and
 322 Management Advisory Council or its successor, for uses
 323 consistent with the purposes of the organizations and the
 324 protection, preservation, conservation, restoration, and proper
 325 management of the lands and their resources. Volunteer
 326 management assistance is encouraged, including, but not limited
 327 to, assistance by youths participating in programs sponsored by
 328 state or local agencies, by volunteers sponsored by
 329 environmental or civic organizations, and by individuals
 330 participating in programs for committed delinquents and adults.
 331 Pursuant to s. 253.34(13), managing agencies are directed to
 332 evaluate the potential use of inmates and juvenile offenders to
 333 assist in the initial management or restoration of newly
 334 acquired property to determine if such use is cost-effective and
 335 logistically practicable.

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

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

342 2. Key management activities necessary to preserve and
 343 protect natural resources and restore habitat, and for
 344 controlling the spread of nonnative plants and animals, and for
 345 prescribed fire and other appropriate resource management
 346 activities.

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

350 4. A priority schedule for conducting management
 351 activities, based on the purposes for which the lands were
 352 acquired.

353 5. A cost estimate for conducting priority management
 354 activities, to include recommendations for cost-effective
 355 methods of accomplishing those activities.

356 6. A cost estimate for conducting other management
 357 activities which would enhance the natural resource value or
 358 public recreation value for which the lands were acquired. The
 359 cost estimate shall include recommendations for cost-effective
 360 methods of accomplishing those activities.

361 7. A determination of the public uses and public access
 362 that would be consistent with the purposes for which the lands
 363 were acquired.

364
 365 By July 1 of each year, each governmental agency and each
 366 private entity designated to manage lands shall report to the
 367 Secretary of Environmental Protection on the progress of
 368 funding, staffing, and resource management of every project for
 369 which the agency or entity is responsible.

370 (12)

371 (e) If property which was subject to ad valorem taxation
 372 was acquired by a tax-exempt entity for ultimate conveyance to
 373 the state under this chapter, payment in lieu of taxes shall be
 374 made for such property based upon the average amount of taxes
 375 paid on the property for the 3 years prior to its being removed

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376 from the tax rolls. The department shall certify to the
 377 Department of Revenue those properties that may be eligible
 378 under this provision. Once eligibility has been established,
 379 that county or local government shall receive ~~10 consecutive~~
 380 annual payments for each tax loss, and no further eligibility
 381 determination shall be made ~~during that period~~.

382
 383 For the purposes of this subsection, "local government" includes
 384 municipalities, the county school board, mosquito control
 385 districts, and any other local government entity which levies ad
 386 valorem taxes, with the exception of a water management
 387 district.

388 Section 3. Paragraph (b) of subsection (11) of section
 389 259.041, Florida Statutes, is amended to read:

390 259.041 Acquisition of state-owned lands for preservation,
 391 conservation, and recreation purposes.--

392 (11)

393 (b) All project applications shall identify, within their
 394 acquisition plans, those projects which require a full fee
 395 simple interest to achieve the public policy goals, together
 396 with the reasons full title is determined to be necessary. The
 397 state agencies and the water management districts may use
 398 alternatives to fee simple acquisition to bring the remaining
 399 projects in their acquisition plans under public protection. For
 400 the purposes of this subsection, the term "alternatives to fee
 401 simple acquisition" includes, but is not limited to: purchase of
 402 development rights; obtaining conservation easements; obtaining
 403 flowage easements; purchase of timber rights, mineral rights, or
 404 hunting rights; purchase of agricultural interests or

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405 silvicultural interests; entering into land protection
406 agreements as defined in s. 380.0677(4); fee simple acquisitions
407 with reservations; creating life estates; or any other
408 acquisition technique which achieves the public policy goals
409 listed in paragraph (a). It is presumed that a private landowner
410 retains the full range of uses for all the rights or interests
411 in the landowner's land which are not specifically acquired by
412 the public agency. The lands upon which hunting rights are
413 specifically acquired pursuant to this paragraph shall be
414 available for hunting in accordance with the management plan or
415 hunting regulations adopted by the Florida Fish and Wildlife
416 Conservation Commission, unless the hunting rights are purchased
417 specifically to protect activities on adjacent lands. A
418 conservation easement obtained in whole or in part with state
419 funds after July 1, 2004, on lands used for agricultural
420 purposes, shall not interfere with the landowner's ability to
421 conduct agricultural operations as the landowner deems
422 appropriate, and any provision of a conservation easement that
423 constitutes such interference is unenforceable against the
424 landowner. For purposes of this paragraph, "agricultural
425 operations" means any activity that the landowner deems
426 necessary to the production of plants and animals useful to
427 humans, including the preparation of these products for human
428 use and their disposal by marketing or otherwise, and includes
429 aquaculture, horticulture, floriculture, viticulture, forestry,
430 dairy, livestock, poultry, bees, and any and all forms of farm
431 products and farm production.

432 Section 4. Section 373.5905, Florida Statutes, is amended
433 to read:

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434 373.5905 Reinstitution of payments in lieu of taxes;
435 duration.--If a water management district has made a payment in
436 lieu of taxes to a governmental entity and subsequently
437 suspended such payment, the water management district shall
438 reinstitute appropriate payments and continue the payments in
439 consecutive years ~~until the governmental entity has received a~~
440 ~~total of 10 payments for each tax loss.~~

441 Section 5. Section 946.40, Florida Statutes, is amended to
442 read:

443 946.40 Use of prisoners in public works.--

444 (1) The Department of Corrections shall, subject to the
445 availability of funds appropriated for that purpose, and, in the
446 absence of such funds, may, enter into agreements with such
447 political subdivisions in the state, as defined by s. 1.01(8),
448 including municipalities; with such agencies and institutions of
449 the state; and with such nonprofit corporations as might use the
450 services of inmates of correctional institutions and camps when
451 it is determined by the department that such services will not
452 be detrimental to the welfare of such inmates or the interests
453 of the state in a program of rehabilitation. An agreement for
454 use of fewer than 15 minimum custody inmates and medium custody
455 inmates may provide that supervision will be either by the
456 department or by the political subdivision, institution,
457 nonprofit corporation, or agency using the inmates. The
458 department is authorized to adopt rules governing work and
459 supervision of inmates used in public works projects, which
460 rules shall include, but shall not be limited to, the proper
461 screening and supervision of such inmates. Inmates may be used
462 for these purposes without being accompanied by a correctional

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463 officer, provided the political subdivision, municipality, or
 464 agency of the state or the nonprofit corporation provides proper
 465 supervision pursuant to the rules of the Department of
 466 Corrections.

467 (2) The budget of the department may be reimbursed from
 468 the budget of any state agency or state institution for the
 469 services of inmates and personnel of the department in such
 470 amounts as may be determined by agreement between the department
 471 and the head of such agency or institution. However, no
 472 political subdivision of the state shall be required to
 473 reimburse the department for such services.

474 (3)(a) The department shall enter into agreements with
 475 state agencies that are responsible for managing state lands for
 476 the purpose of utilizing inmates to perform state land
 477 management activities, including, but not limited to, services
 478 related to restoration, grounds maintenance, removal of invasive
 479 plant species, and forestry management, if:

480 1. The state agency submits to the department a request to
 481 utilize the services of inmates to perform state land management
 482 activities.

483 2. The department determines that inmates are available to
 484 perform the requested state land management activities.

485 3. The department determines that utilization of inmates
 486 to perform state land management activities will not be
 487 detrimental to the welfare of the inmates or the interest of the
 488 state in a program of rehabilitation.

489 (b) Notwithstanding subsection (2), the budget of the
 490 department shall be reimbursed from the budget of the requesting
 491 agency for the services of inmates and personnel of the

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492 department in such amounts as may be determined by agreement
 493 between the department and the head of such agency or
 494 institution. If the requesting agency determines that
 495 utilization of inmate services for land management purposes is
 496 not cost-effective, the state agency is not required to enter
 497 into an agreement with the department.

498 ~~(4)(3)~~ The department shall not be required to provide
 499 supervision for minimum custody inmates or medium custody
 500 inmates unless there is adequate notice of the need for the
 501 services of at least 15 such inmates.

502 ~~(5)(4)~~ No person convicted of sexual battery pursuant to
 503 s. 794.011 is eligible for any program under the provisions of
 504 this section.

505 Section 6. For the purpose of incorporating the amendment
 506 to section 234.034, Florida Statutes, in a reference thereto,
 507 subsection (11) of section 159.705, Florida Statutes, is
 508 reenacted to read:

509 159.705 Powers of the authority.--The authority is
 510 authorized and empowered:

511 (11) Notwithstanding the provisions of s. 253.034, to be
 512 granted leases for lands owned by the Board of Trustees of the
 513 Internal Improvement Trust Fund for periods not to exceed 99
 514 years, and to grant subleases for land which is owned by the
 515 Board of Trustees of the Internal Improvement Trust Fund if the
 516 board of trustees has approved the master lease agreement, the
 517 concept of the operation of the park, the master sublease
 518 provisions for use in such subleases, and changes, if any, to
 519 the master sublease. The terms of such subleases may run
 520 concurrently with the term of the lease granted by the Board of

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521 Trustees of the Internal Improvement Trust Fund, and subsequent
 522 to execution, copies of the subleases shall be filed with the
 523 Division of State Lands of the Department of Environmental
 524 Protection.

525 Section 7. For the purpose of incorporating the amendment
 526 to section 253.034, Florida Statutes, in a reference thereto,
 527 section 253.036, Florida Statutes, is reenacted to read:

528 253.036 Forest management.--All land management plans
 529 described in s. 253.034(5) which are prepared for parcels larger
 530 than 1,000 acres shall contain an analysis of the multiple-use
 531 potential of the parcel, which analysis shall include the
 532 potential of the parcel to generate revenues to enhance the
 533 management of the parcel. The lead agency shall prepare the
 534 analysis, which shall contain a component or section prepared by
 535 a qualified professional forester which assesses the feasibility
 536 of managing timber resources on the parcel for resource
 537 conservation and revenue generation purposes through a
 538 stewardship ethic that embraces sustainable forest management
 539 practices if the lead management agency determines that the
 540 timber resource management is not in conflict with the primary
 541 management objectives of the parcel. For purposes of this
 542 section, practicing sustainable forest management means meeting
 543 the needs of the present without compromising the ability of
 544 future generations to meet their own needs by practicing a land
 545 stewardship ethic which integrates the reforestation, managing,
 546 growing, nurturing, and harvesting of trees for useful products
 547 with the conservation of soil, air and water quality, wildlife
 548 and fish habitat, and aesthetics. The Legislature intends that
 549 each lead management agency, whenever practicable and cost

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550 effective, use the services of the Division of Forestry of the
 551 Florida Department of Agriculture and Consumer Services or other
 552 qualified private sector professional forester in completing
 553 such feasibility assessments and implementing timber resource
 554 management. The Legislature further intends that the lead
 555 management agency develop a memorandum of agreement with the
 556 Division of Forestry to provide for full reimbursement for any
 557 services provided for the feasibility assessments or timber
 558 resource management. All additional revenues generated through
 559 multiple-use management or compatible secondary use management
 560 shall be returned to the lead agency responsible for such
 561 management and shall be used to pay for management activities on
 562 all conservation, preservation, and recreation lands under the
 563 agency's jurisdiction. In addition, such revenue shall be
 564 segregated in an agency trust fund and shall remain available to
 565 the agency in subsequent fiscal years to support land management
 566 appropriations.

567 Section 8. For the purpose of incorporating the amendment
 568 to section 259.032, Florida Statutes, in references thereto,
 569 subsections (1) and (4) of section 259.036, Florida Statutes,
 570 are reenacted to read:

571 259.036 Management review teams.--

572 (1) To determine whether conservation, preservation, and
 573 recreation lands titled in the name of the Board of Trustees of
 574 the Internal Improvement Trust Fund are being managed for the
 575 purposes for which they were acquired and in accordance with a
 576 land management plan adopted pursuant to s. 259.032, the board
 577 of trustees, acting through the Department of Environmental

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578 Protection, shall cause periodic management reviews to be
 579 conducted as follows:

580 (a) The department shall establish a regional land
 581 management review team composed of the following members:

582 1. One individual who is from the county or local
 583 community in which the parcel or project is located and who is
 584 selected by the county commission in the county which is most
 585 impacted by the acquisition.

586 2. One individual from the Division of Recreation and
 587 Parks of the department.

588 3. One individual from the Division of Forestry of the
 589 Department of Agriculture and Consumer Services.

590 4. One individual from the Fish and Wildlife Conservation
 591 Commission.

592 5. One individual from the department's district office in
 593 which the parcel is located.

594 6. A private land manager mutually agreeable to the state
 595 agency representatives.

596 7. A member of the local soil and water conservation
 597 district board of supervisors.

598 8. A member of a conservation organization.

599 (b) The staff of the Division of State Lands shall act as
 600 the review team coordinator for the purposes of establishing
 601 schedules for the reviews and other staff functions. The
 602 Legislature shall appropriate funds necessary to implement land
 603 management review team functions.

604 (4) In the event a land management plan has not been
 605 adopted within the timeframes specified in s. 259.032(10), the
 606 department may direct a management review of the property, to be

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607 conducted by the land management review team. The review shall
 608 consider the extent to which the land is being managed for the
 609 purposes for which it was acquired and the degree to which
 610 actual management practices are in compliance with the
 611 management policy statement and management prospectus for that
 612 property.

613 Section 9. For the purpose of incorporating the amendment
 614 to section 259.032, Florida Statutes, in a reference thereto,
 615 paragraph (a) of subsection (1) of section 259.04, Florida
 616 Statutes, is reenacted to read:

617 259.04 Board; powers and duties.--

618 (1) For projects and acquisitions selected for purchase
 619 pursuant to ss. 259.035, 259.101, and 259.105:

620 (a) The board is given the responsibility, authority, and
 621 power to develop and execute a comprehensive, statewide 5-year
 622 plan to conserve, restore, and protect environmentally
 623 endangered lands, ecosystems, lands necessary for outdoor
 624 recreational needs, and other lands as identified in ss.
 625 259.032, 259.101, and 259.105. This plan shall be kept current
 626 through continual reevaluation and revision. The advisory
 627 council or its successor shall assist the board in the
 628 development, reevaluation, and revision of the plan.

629 Section 10. For the purpose of incorporating the
 630 amendments to sections 253.034 and 259.032, Florida Statutes, in
 631 references thereto, paragraph (j) of subsection (3) and
 632 subsections (5), (9), and (19) of section 259.105, Florida
 633 Statutes, are reenacted to read:

634 259.105 The Florida Forever Act.--

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635 (3) Less the costs of issuing and the costs of funding
636 reserve accounts and other costs associated with bonds, the
637 proceeds of bonds issued pursuant to this section shall be
638 deposited into the Florida Forever Trust Fund created by s.
639 259.1051. The proceeds shall be distributed by the Department of
640 Environmental Protection in the following manner:

641 (j) For the purposes of paragraphs (d), (e), (f), and (g),
642 the agencies which receive the funds shall develop their
643 individual acquisition or restoration lists. Proposed additions
644 may be acquired if they are identified within the original
645 project boundary, the management plan required pursuant to s.
646 253.034(5), or the management prospectus required pursuant to s.
647 259.032(9)(d). Proposed additions not meeting the requirements
648 of this paragraph shall be submitted to the Acquisition and
649 Restoration Council for approval. The council may only approve
650 the proposed addition if it meets two or more of the following
651 criteria: serves as a link or corridor to other publicly owned
652 property; enhances the protection or management of the property;
653 would add a desirable resource to the property; would create a
654 more manageable boundary configuration; has a high resource
655 value that otherwise would be unprotected; or can be acquired at
656 less than fair market value.

657 (5)(a) All lands acquired pursuant to this section shall
658 be managed for multiple-use purposes, where compatible with the
659 resource values of and management objectives for such lands. As
660 used in this section, "multiple-use" includes, but is not
661 limited to, outdoor recreational activities as described in ss.
662 253.034 and 259.032(9)(b), water resource development projects,
663 and sustainable forestry management.

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664 (b) Upon a decision by the entity in which title to lands
 665 acquired pursuant to this section has vested, such lands may be
 666 designated single use as defined in s. 253.034(2)(b).

667 (9) The Acquisition and Restoration Council shall
 668 recommend rules for adoption by the board of trustees to
 669 competitively evaluate, select, and rank projects eligible for
 670 Florida Forever funds pursuant to paragraph (3)(b) and for
 671 additions to the Conservation and Recreation Lands list pursuant
 672 to ss. 259.032 and 259.101(4). In developing these proposed
 673 rules, the Acquisition and Restoration Council shall give weight
 674 to the following criteria:

675 (a) The project meets multiple goals described in
 676 subsection (4).

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

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

681 (d) The project has significant archaeological or historic
 682 value.

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

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

687 (g) The project has a significant portion of its land area
 688 in imminent danger of development, in imminent danger of losing
 689 its significant natural attributes or recreational open space,
 690 or in imminent danger of subdivision which would result in
 691 multiple ownership and make acquisition of the project costly or
 692 less likely to be accomplished.

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

695 (i) The project is one of the components of the Everglades
696 restoration effort.

697 (j) The project may be purchased at 80 percent of
698 appraised value.

699 (k) The project may be acquired, in whole or in part,
700 using alternatives to fee simple, including but not limited to,
701 purchase of development rights, hunting rights, agricultural or
702 silvicultural rights, or mineral rights or obtaining
703 conservation easements or flowage easements.

704 (l) The project is a joint acquisition, either among
705 public agencies, nonprofit organizations, or private entities,
706 or by a public-private partnership.

707 (19) Lands listed as projects for acquisition under the
708 Florida Forever program may be managed for conservation pursuant
709 to s. 259.032, on an interim basis by a private party in
710 anticipation of a state purchase in accordance with a
711 contractual arrangement between the acquiring agency and the
712 private party that may include management service contracts,
713 leases, cost-share arrangements, or resource conservation
714 agreements. Lands designated as eligible under this subsection
715 shall be managed to maintain or enhance the resources the state
716 is seeking to protect by acquiring the land. Funding for these
717 contractual arrangements may originate from the documentary
718 stamp tax revenue deposited into the Conservation and Recreation
719 Lands Trust Fund and Water Management Lands Trust Fund. No more
720 than 5 percent of funds allocated under the trust funds shall be
721 expended for this purpose.

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722 Section 11. For the purpose of incorporating the amendment
 723 to section 259.032, Florida Statutes, in references thereto,
 724 subsections (5) and (11) of section 253.034, Florida Statutes,
 725 are reenacted to read:

726 253.034 State-owned lands; uses.--

727 (5) Each manager of conservation lands shall submit to the
 728 Division of State Lands a land management plan at least every 10
 729 years in a form and manner prescribed by rule by the board and
 730 in accordance with the provisions of s. 259.032. Each manager of
 731 conservation lands shall also update a land management plan
 732 whenever the manager proposes to add new facilities or make
 733 substantive land use or management changes that were not
 734 addressed in the approved plan, or within 1 year of the addition
 735 of significant new lands. Each manager of nonconservation lands
 736 shall submit to the Division of State Lands a land use plan at
 737 least every 10 years in a form and manner prescribed by rule by
 738 the board. The division shall review each plan for compliance
 739 with the requirements of this subsection and the requirements of
 740 the rules established by the board pursuant to this section. All
 741 land use plans, whether for single-use or multiple-use
 742 properties, shall include an analysis of the property to
 743 determine if any significant natural or cultural resources are
 744 located on the property. Such resources include archaeological
 745 and historic sites, state and federally listed plant and animal
 746 species, and imperiled natural communities and unique natural
 747 features. If such resources occur on the property, the manager
 748 shall consult with the Division of State Lands and other
 749 appropriate agencies to develop management strategies to protect
 750 such resources. Land use plans shall also provide for the

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751 control of invasive nonnative plants and conservation of soil
 752 and water resources, including a description of how the manager
 753 plans to control and prevent soil erosion and soil or water
 754 contamination. Land use plans submitted by a manager shall
 755 include reference to appropriate statutory authority for such
 756 use or uses and shall conform to the appropriate policies and
 757 guidelines of the state land management plan. Plans for managed
 758 areas larger than 1,000 acres shall contain an analysis of the
 759 multiple-use potential of the property, which analysis shall
 760 include the potential of the property to generate revenues to
 761 enhance the management of the property. Additionally, the plan
 762 shall contain an analysis of the potential use of private land
 763 managers to facilitate the restoration or management of these
 764 lands. In those cases where a newly acquired property has a
 765 valid conservation plan that was developed by a soil and
 766 conservation district, such plan shall be used to guide
 767 management of the property until a formal land use plan is
 768 completed.

769 (a) The Division of State Lands shall make available to
 770 the public a copy of each land management plan for parcels that
 771 exceed 160 acres in size. The council shall review each plan for
 772 compliance with the requirements of this subsection, the
 773 requirements of chapter 259, and the requirements of the rules
 774 established by the board pursuant to this section. The council
 775 shall also consider the propriety of the recommendations of the
 776 managing entity with regard to the future use of the property,
 777 the protection of fragile or nonrenewable resources, the
 778 potential for alternative or multiple uses not recognized by the
 779 managing entity, and the possibility of disposal of the property

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780 by the board. After its review, the council shall submit the
 781 plan, along with its recommendations and comments, to the board.
 782 The council shall specifically recommend to the board whether to
 783 approve the plan as submitted, approve the plan with
 784 modifications, or reject the plan.

785 (b) The Board of Trustees of the Internal Improvement
 786 Trust Fund shall consider the land management plan submitted by
 787 each entity and the recommendations of the council and the
 788 Division of State Lands and shall approve the plan with or
 789 without modification or reject such plan. The use or possession
 790 of any such lands that is not in accordance with an approved
 791 land management plan is subject to termination by the board.

792 (11) Lands listed as projects for acquisition may be
 793 managed for conservation pursuant to s. 259.032, on an interim
 794 basis by a private party in anticipation of a state purchase in
 795 accordance with a contractual arrangement between the acquiring
 796 agency and the private party that may include management service
 797 contracts, leases, cost-share arrangements or resource
 798 conservation agreements. Lands designated as eligible under this
 799 subsection shall be managed to maintain or enhance the resources
 800 the state is seeking to protect by acquiring the land. Funding
 801 for these contractual arrangements may originate from the
 802 documentary stamp tax revenue deposited into the Conservation
 803 and Recreation Lands Trust Fund and Water Management Lands Trust
 804 Fund. No more than 5 percent of funds allocated under the trust
 805 funds shall be expended for this purpose.

806 Section 12. For the purpose of incorporating the amendment
 807 to section 946.40, Florida Statutes, in a reference thereto,

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808 subsection (2) of section 944.053, Florida Statutes, is
 809 reenacted to read:

810 944.053 Forestry Work Camps.--

811 (2) The Forestry Work Camps shall provide services to the
 812 Department of Agriculture and Consumer Services, the Department
 813 of Transportation, other state agencies, political subdivisions,
 814 and nonprofit corporations by performing public works and
 815 engaging in programs to beautify this state. Inmate labor
 816 provided pursuant to this act shall be supervised according to
 817 the provisions of s. 946.40.

818 Section 13. For the purpose of incorporating the amendment
 819 to section 946.40, Florida Statutes, in a reference thereto,
 820 paragraph (a) of subsection (1) of section 946.002, Florida
 821 Statutes, is reenacted to read:

822 946.002 Requirement of labor; compensation; amount;
 823 crediting of account of prisoner; forfeiture; civil rights;
 824 prisoner not employee or entitled to compensation insurance
 825 benefits.--

826 (1)(a) The department shall require of every able-bodied
 827 prisoner imprisoned in any institution as many hours of faithful
 828 labor in each day and every day during his or her term of
 829 imprisonment as shall be prescribed by the rules of the
 830 department. Every able-bodied prisoner classified as medium
 831 custody or minimum custody who does not satisfactorily
 832 participate in any institutional work programs, correctional
 833 work programs, prison industry enhancement (PIE) programs,
 834 academic programs, or vocational programs shall be required to
 835 perform work for such political subdivisions of the state as

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836 might have entered into agreement with the department pursuant
 837 to s. 946.40.

838 Section 14. For the purpose of incorporating the amendment
 839 to section 946.40, Florida Statutes, in a reference thereto,
 840 subsection (2) of section 946.503, Florida Statutes, is
 841 reenacted to read:

842 946.503 Definitions to be used with respect to
 843 correctional work programs.--As used in this part, the term:

844 (2) "Correctional work program" means any program
 845 presently a part of the prison industries program operated by
 846 the department or any other correctional work program carried on
 847 at any state correctional facility presently or in the future,
 848 but the term does not include any program authorized by s.
 849 945.091 or s. 946.40.

850 Section 15. This act shall take effect upon becoming a
 851 law.