

CHAMBER ACTION

1 The Committee on Natural Resources recommends the following:

2
3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to state lands; amending s. 253.034, F.S.;
7 requiring the lead land managing agency of conservation
8 and nonconservation lands to utilize inmates of the
9 Department of Corrections to assist in management or
10 restoration activities on managed lands in certain
11 circumstances; specifying circumstances in which such
12 inmates may assist in performing conservation activities;
13 directing land managing agencies to make certain
14 evaluations concerning the potential use of inmates to
15 assist in the initial management or restoration of
16 specified property; revising a limitation on the
17 availability of certain lands for purchase through the
18 state's surplus process; amending s. 259.032, F.S.;
19 directing land managing agencies to make certain
20 evaluations concerning the potential use of inmates to
21 assist in the initial management or restoration of
22 specified property; revising a provision pertaining to
23 payments for tax losses; revising a provision pertaining

24 | to further determination of eligibility for such payment;
25 | amending s. 373.089, F.S.; revising a limitation on the
26 | availability of certain lands for purchase through water
27 | management district surplusing process; amending s.
28 | 373.59, F.S.; revising a provision pertaining to water
29 | management district payments for tax losses; amending s.
30 | 373.5905, F.S.; revising a provision pertaining to
31 | payments by a water management district in lieu of taxes;
32 | amending s. 946.40, F.S.; requiring the Department of
33 | Corrections to enter into agreements with state agencies
34 | that are responsible for managing state lands in certain
35 | circumstances; specifying that the purpose of such
36 | agreements is to utilizing inmate labor for state land
37 | management activities; providing for reimbursement to the
38 | department from such state agencies; specifying
39 | circumstances in which a state agency is not required to
40 | enter into such agreements; reenacting ss. 159.705(11),
41 | 259.032 (9), (10)(b), and (e), and 253.036, F.S., relating
42 | to powers of research and development authorities, the
43 | Conservation and Recreation Lands Trust Fund, and forest
44 | management, respectively, for the purpose of incorporating
45 | the amendment to s. 253.034, F.S., in references thereto;
46 | reenacting ss. 253.034(11), 259.036(1) and (4), and
47 | 259.04(1)(a), F.S., relating to uses of state-owned lands,
48 | management review teams, and powers of the Board of
49 | Trustees of the Internal Improvement Trust Fund,
50 | respectively, for the purpose of incorporating the
51 | amendment to s. 259.032, F.S., in references thereto;

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52 | reenacting ss. 259.035(3) and (6) and 259.105(3)(j), (5),
 53 | (9), and (19), F.S., relating to the Acquisition and
 54 | Restoration Council and the Florida Forever Act,
 55 | respectively, for the purpose of incorporating the
 56 | amendments to ss. 253.034 and 259.032, F.S., in references
 57 | thereto; reenacting ss. 944.053(2), 946.002(1)(a), and
 58 | 946.503(2), F.S., relating to forestry work camps, the
 59 | requirement of labor, and programs not included in the
 60 | definition of the term "correctional work program,"
 61 | respectively, for the purpose of incorporating the
 62 | amendment to s. 946.40, F.S., in references thereto;
 63 | providing an effective date.

64

65 | Be It Enacted by the Legislature of the State of Florida:

66

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

73 | 253.034 State-owned lands; uses.--

74 | (5) Each manager of conservation lands shall submit to the
 75 | Division of State Lands a land management plan at least every 10
 76 | years in a form and manner prescribed by rule by the board and
 77 | in accordance with the provisions of s. 259.032. Each manager of
 78 | conservation lands shall also update a land management plan
 79 | whenever the manager proposes to add new facilities or make

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80 substantive land use or management changes that were not
81 addressed in the approved plan, or within 1 year of the addition
82 of significant new lands. Each manager of nonconservation lands
83 shall submit to the Division of State Lands a land use plan at
84 least every 10 years in a form and manner prescribed by rule by
85 the board. The division shall review each plan for compliance
86 with the requirements of this subsection and the requirements of
87 the rules established by the board pursuant to this section. All
88 land use plans, whether for single-use or multiple-use
89 properties, shall include an analysis of the property to
90 determine if any significant natural or cultural resources are
91 located on the property. Such resources include archaeological
92 and historic sites, state and federally listed plant and animal
93 species, and imperiled natural communities and unique natural
94 features. If such resources occur on the property, the manager
95 shall consult with the Division of State Lands and other
96 appropriate agencies to develop management strategies to protect
97 such resources. Land use plans shall also provide for the
98 control of invasive nonnative plants and conservation of soil
99 and water resources, including a description of how the manager
100 plans to control and prevent soil erosion and soil or water
101 contamination. Land use plans submitted by a manager shall
102 include reference to appropriate statutory authority for such
103 use or uses and shall conform to the appropriate policies and
104 guidelines of the state land management plan. Plans for managed
105 areas larger than 1,000 acres shall contain an analysis of the
106 multiple-use potential of the property, which analysis shall
107 include the potential of the property to generate revenues to

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108 | enhance the management of the property. Additionally, the plan
 109 | shall contain an analysis of the potential use of private land
 110 | managers to facilitate the restoration or management of these
 111 | lands. In those cases where a newly acquired property has a
 112 | valid conservation plan that was developed by a soil and
 113 | conservation district, such plan shall be used to guide
 114 | management of the property until a formal land use plan is
 115 | completed. Pursuant to subsection (13), managing agencies are
 116 | directed to evaluate the potential use of inmates to assist in
 117 | the initial management or restoration of newly acquired property
 118 | to determine if such use is cost-effective and logistically
 119 | practicable.

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

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

143 (8)

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

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163 (11) Lands listed as projects for acquisition may be
 164 managed for conservation pursuant to s. 259.032, on an interim
 165 basis by a private party in anticipation of a state purchase in
 166 accordance with a contractual arrangement between the acquiring
 167 agency and the private party that may include management service
 168 contracts, leases, cost-share arrangements or resource
 169 conservation agreements. Lands designated as eligible under this
 170 subsection shall be managed to maintain or enhance the resources
 171 the state is seeking to protect by acquiring the land. Funding
 172 for these contractual arrangements may originate from the
 173 documentary stamp tax revenue deposited into the Conservation
 174 and Recreation Lands Trust Fund and Water Management Lands Trust
 175 Fund. No more than 5 percent of funds allocated under the trust
 176 funds shall be expended for this purpose.

177 (13)(a) The lead land managing agency of conservation and
 178 nonconservation lands shall utilize inmates of the Department of
 179 Corrections to assist in management or restoration activities on
 180 managed lands if, after consulting with the Department of
 181 Corrections, the lead managing agency determines that such use
 182 is cost-effective and logistically practicable.

183 (b) Such inmates may assist in performing conservation
 184 activities on lands subject to a conservation easement granted
 185 to the state if:

186 1. The owner of lands subject to a conservation easement
 187 granted to the state submits a written request for such
 188 assistance to the managing agency of the conservation easement;
 189 and

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190 2. The managing agency determines, after consulting with
 191 the Department of Corrections, that the requested assistance
 192 relates solely to the performance of conservation activities on
 193 lands subject to a conservation easement, and that such
 194 assistance is logistically feasible and cost-effective.

195 Section 2. Subsection (7), paragraph (c) of subsection
 196 (10), and paragraph (e) of subsection (12) of section 259.032,
 197 Florida Statutes, are amended, and subsection (9) and paragraphs
 198 (b) and (e) of subsection (10) of said section are reenacted for
 199 purposes of incorporating the amendment to section 253.034,
 200 Florida Statutes, in references thereto, to read:

201 259.032 Conservation and Recreation Lands Trust Fund;
 202 purpose.--

203 (7) The board of trustees may enter into any contract
 204 necessary to accomplish the purposes of this section. The lead
 205 land managing agencies designated by the board of trustees also
 206 are directed by the Legislature to enter into contracts or
 207 interagency agreements with other governmental entities,
 208 including local soil and water conservation districts, or
 209 private land managers who have the expertise to perform specific
 210 management activities which a lead agency lacks, or which would
 211 cost more to provide in-house. Such activities shall include,
 212 but not be limited to, controlled burning, road and ditch
 213 maintenance, mowing, and wildlife assessments. Pursuant to s.
 214 253.034(13), managing agencies are directed to evaluate the
 215 potential use of inmates to assist in the initial management or
 216 restoration of newly acquired property to determine if such use
 217 is cost-effective and logistically practicable.

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

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

222 (b) Managed for public outdoor recreation which is
223 compatible with the conservation and protection of public lands.
224 Such management may include, but not be limited to, the
225 following public recreational uses: fishing, hunting, camping,
226 bicycling, hiking, nature study, swimming, boating, canoeing,
227 horseback riding, diving, model hobbyist activities, birding,
228 sailing, jogging, and other related outdoor activities
229 compatible with the purposes for which the lands were acquired.

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

232 (d) Concurrent with its adoption of the annual
233 Conservation and Recreation Lands list of acquisition projects
234 pursuant to s. 259.035, the board of trustees shall adopt a
235 management prospectus for each project. The management
236 prospectus shall delineate:

237 1. The management goals for the property;

238 2. The conditions that will affect the intensity of
239 management;

240 3. An estimate of the revenue-generating potential of the
241 property, if appropriate;

242 4. A timetable for implementing the various stages of
243 management and for providing access to the public, if
244 applicable;

245 5. A description of potential multiple-use activities as
246 described in this section and s. 253.034;

247 6. Provisions for protecting existing infrastructure and
248 for ensuring the security of the project upon acquisition;

249 7. The anticipated costs of management and projected
250 sources of revenue, including legislative appropriations, to
251 fund management needs; and

252 8. Recommendations as to how many employees will be needed
253 to manage the property, and recommendations as to whether local
254 governments, volunteer groups, the former landowner, or other
255 interested parties can be involved in the management.

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

269 (f) State agencies designated to manage lands acquired
270 under this chapter may contract with local governments and soil
271 and water conservation districts to assist in management
272 activities, including the responsibility of being the lead land

273 manager. Such land management contracts may include a provision
 274 for the transfer of management funding to the local government
 275 or soil and water conservation district from the Conservation
 276 and Recreation Lands Trust Fund in an amount adequate for the
 277 local government or soil and water conservation district to
 278 perform its contractual land management responsibilities and
 279 proportionate to its responsibilities, and which otherwise would
 280 have been expended by the state agency to manage the property.

281 (g) Immediately following the acquisition of any interest
 282 in lands under this chapter, the Department of Environmental
 283 Protection, acting on behalf of the board of trustees, may issue
 284 to the lead managing entity an interim assignment letter to be
 285 effective until the execution of a formal lease.

286 (10)

287 (b) Individual management plans required by s. 253.034(5),
 288 for parcels over 160 acres, shall be developed with input from
 289 an advisory group. Members of this advisory group shall include,
 290 at a minimum, representatives of the lead land managing agency,
 291 comanaging entities, local private property owners, the
 292 appropriate soil and water conservation district, a local
 293 conservation organization, and a local elected official. The
 294 advisory group shall conduct at least one public hearing within
 295 the county in which the parcel or project is located. For those
 296 parcels or projects that are within more than one county, at
 297 least one areawide public hearing shall be acceptable and the
 298 lead managing agency shall invite a local elected official from
 299 each county. The areawide public hearing shall be held in the
 300 county in which the core parcels are located. Notice of such

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301 public hearing shall be posted on the parcel or project
302 designated for management, advertised in a paper of general
303 circulation, and announced at a scheduled meeting of the local
304 governing body before the actual public hearing. The management
305 prospectus required pursuant to paragraph (9)(d) shall be
306 available to the public for a period of 30 days prior to the
307 public hearing.

308 (c) Once a plan is adopted, the managing agency or entity
309 shall update the plan at least every 10 years in a form and
310 manner prescribed by rule of the board of trustees. Such
311 updates, for parcels over 160 acres, shall be developed with
312 input from an advisory group. Such plans may include transfers
313 of leasehold interests to appropriate conservation organizations
314 or governmental entities designated by the Land Acquisition and
315 Management Advisory Council or its successor, for uses
316 consistent with the purposes of the organizations and the
317 protection, preservation, conservation, restoration, and proper
318 management of the lands and their resources. Volunteer
319 management assistance is encouraged, including, but not limited
320 to, assistance by youths participating in programs sponsored by
321 state or local agencies, by volunteers sponsored by
322 environmental or civic organizations, and by individuals
323 participating in programs for committed delinquents and adults.
324 Pursuant to s. 253.034(13), managing agencies are directed to
325 evaluate the potential use of inmates to assist in the initial
326 management or restoration of newly acquired property to
327 determine if such use is cost-effective and logistically
328 practicable.

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

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

335 2. Key management activities necessary to preserve and
 336 protect natural resources and restore habitat, and for
 337 controlling the spread of nonnative plants and animals, and for
 338 prescribed fire and other appropriate resource management
 339 activities.

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

343 4. A priority schedule for conducting management
 344 activities, based on the purposes for which the lands were
 345 acquired.

346 5. A cost estimate for conducting priority management
 347 activities, to include recommendations for cost-effective
 348 methods of accomplishing those activities.

349 6. A cost estimate for conducting other management
 350 activities which would enhance the natural resource value or
 351 public recreation value for which the lands were acquired. The
 352 cost estimate shall include recommendations for cost-effective
 353 methods of accomplishing those activities.

354 7. A determination of the public uses and public access
 355 that would be consistent with the purposes for which the lands
 356 were acquired.

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357
358 By July 1 of each year, each governmental agency and each
359 private entity designated to manage lands shall report to the
360 Secretary of Environmental Protection on the progress of
361 funding, staffing, and resource management of every project for
362 which the agency or entity is responsible.

363 (12)

364 (e) If property which was subject to ad valorem taxation
365 was acquired by a tax-exempt entity for ultimate conveyance to
366 the state under this chapter, payment in lieu of taxes shall be
367 made for such property based upon the average amount of taxes
368 paid on the property for the 3 years prior to its being removed
369 from the tax rolls. The department shall certify to the
370 Department of Revenue those properties that may be eligible
371 under this provision. Once eligibility has been established,
372 that county or local government shall receive ~~10 consecutive~~
373 annual payments for each tax loss, and no further eligibility
374 determination shall be made ~~during that period~~.

375
376 For the purposes of this subsection, "local government" includes
377 municipalities, the county school board, mosquito control
378 districts, and any other local government entity which levies ad
379 valorem taxes, with the exception of a water management
380 district.

381 Section 3. Subsection (5) of section 373.089, Florida
382 Statutes, is amended to read:

383 373.089 Sale or exchange of lands, or interests or rights
384 in lands.--The governing board of the district may sell lands,

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385 or interests or rights in lands, to which the district has
386 acquired title or to which it may hereafter acquire title in the
387 following manner:

388 (5) In any county having a population of 75,000 or fewer,
389 or a county having a population of 100,000 or fewer that is
390 contiguous to a county having a population of 75,000 or fewer,
391 in which more than 30 ~~50~~ percent of the lands within the county
392 boundary are federal lands and lands titled in the name of the
393 state, a state agency, a water management district, or a local
394 government, those lands titled in the name of a water management
395 district which are not essential or necessary to meet the
396 purposes identified in s. 373.139 ~~conservation purposes~~ may,
397 upon request of a public or private entity, be made available
398 for purchase through the surplusing process in this section.
399 Priority consideration must be given to buyers, public or
400 private, who are willing to return the property to productive
401 use so long as the property can be reentered onto the county ad
402 valorem tax roll. Property acquired with matching funds from a
403 local government shall not be made available for purchase
404 without the consent of the local government.

405 Section 4. Paragraph (b) of subsection (10) of section
406 373.59, Florida Statutes, is amended to read:

407 373.59 Water Management Lands Trust Fund.--

408 (10)

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

410 1. To all counties that have a population of 150,000 or
411 fewer. Population levels shall be determined pursuant to s.
412 11.031.

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

415
416 For properties acquired after January 1, 2000, in the event that
417 such properties otherwise eligible for payment in lieu of taxes
418 under this subsection are leased or reserved and remain subject
419 to ad valorem taxes, payments in lieu of taxes shall commence or
420 recommence upon the expiration or termination of the lease or
421 reservation, ~~but in no event shall there be more than a total of~~
422 ~~10 annual payments in lieu of taxes for each tax loss.~~ If the
423 lease is terminated for only a portion of the lands at any time,
424 ~~the 10~~ annual payments shall be made for that portion only
425 commencing the year after such termination, without limiting the
426 requirement that ~~10~~ annual payments shall be made on the
427 remaining portion or portions of the land as the lease on each
428 expires. For the purposes of this subsection, "local government"
429 includes municipalities, the county school board, mosquito
430 control districts, and any other local government entity which
431 levies ad valorem taxes.

432 Section 5. Section 373.5905, Florida Statutes, is amended
433 to read:

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.~~

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441 Section 6. 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
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

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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
 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

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496 not cost-effective or logistically practicable, the state agency
 497 is not required to enter 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 7. 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
 521 Trustees of the Internal Improvement Trust Fund, and subsequent
 522 to execution, copies of the subleases shall be filed with the

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523 | Division of State Lands of the Department of Environmental
524 | Protection.

525 | Section 8. 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
550 | effective, use the services of the Division of Forestry of the

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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 9. 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

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606 department may direct a management review of the property, to be
 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 10. 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 11. 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:

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634 259.105 The Florida Forever Act.--

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.

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.

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

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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.

722 Section 12. 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
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
 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

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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 13. For the purpose of incorporating the amendment
807 to section 946.40, Florida Statutes, in a reference thereto,
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 14. 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

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

838 Section 15. 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 16. This act shall take effect upon becoming a
 851 law.