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CHAMBER ACTION

	Senate House
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10	The Committee on Environmental Decreeonstien (Decleans)
11	The Committee on Environmental Preservation (Dockery)
12	recommended the following amendment:
13	
14	Senate Amendment (with title amendment)
15	Delete everything after the enacting clause
16	
17	and insert:
18	Section 1. Paragraph (e) of subsection (1) and
19	subsections (2), (11), and (13) of section 201.15, Florida
20	Statutes, are amended to read:
21	201.15 Distribution of taxes collectedAll taxes
22	collected under this chapter shall be distributed as follows
23	and shall be subject to the service charge imposed in s.
24	215.20(1), except that such service charge shall not be levied
25	against any portion of taxes pledged to debt service on bonds
26	to the extent that the amount of the service charge is
27	required to pay any amounts relating to the bonds:
28	(1) Sixty-two and sixty-three hundredths percent of
29	the remaining taxes collected under this chapter shall be used
30	for the following purposes:
31	(e) The remainder of the moneys distributed under this
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subsection, after the required payments under paragraphs (a),

(b), (c), and (d), shall be paid into the State Treasury to

the credit of the General Revenue Fund of the state to be used

and expended for the purposes for which the General Revenue

Fund was created and exists by law or to the Ecosystem

Management and Restoration Trust Fund, or to the Marine

Resources Conservation Trust Fund, or the Florida Forever

Trust Fund, as provided in subsection (11).

- (2) Seven and fifty-six hundredths percent of the remaining taxes collected under this chapter shall be used for the following purposes:
- (a) Beginning in the month following the final payment for a fiscal year under paragraph (1)(c), available moneys shall be paid into the State Treasury to the credit of the General Revenue Fund of the state to be used and expended for the purposes for which the General Revenue Fund was created and exists by law or to the Ecosystem Management and Restoration Trust Fund, or to the Marine Resources Conservation Trust Fund, or the Florida Forever Trust Fund, as provided in subsection (11). Payments made under this paragraph shall continue until the cumulative amount credited to the General Revenue Fund for the fiscal year under this paragraph equals the cumulative payments made under paragraph (1)(c) for the same fiscal year.
- (b) The remainder of the moneys distributed under this subsection shall be paid into the State Treasury to the credit of the Land Acquisition Trust Fund. Sums deposited in the fund pursuant to this subsection may be used for any purpose for which funds deposited in the Land Acquisition Trust Fund may lawfully be used.
- (11)(a) From the moneys specified in paragraphs(1)(e) 2 12:24 PM 03/13/06 s1226.ep15.0d1

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 $\frac{(1)(d)}{d}$ and (2)(a) and prior to deposit of any moneys into the General Revenue Fund, \$30 million shall be paid into the State Treasury to the credit of the Ecosystem Management and 3 Restoration Trust Fund in fiscal year 2000-2001 and each fiscal year thereafter, to be used for the preservation and 5 repair of the state's beaches as provided in ss. 7 161.091-161.212, and \$2 million shall be paid into the State Treasury to the credit of the Marine Resources Conservation 8 Trust Fund to be used for marine mammal care as provided in s. 370.0603(3). 10 (b) For the 2006-2007 fiscal year, prior to deposit of 11 any moneys into the General Revenue Fund authorized in this 12 subsection, the sum of \$310 million shall be paid into the 13 State Treasury to the credit of the Florida Forever Trust 14 15 Fund, to be used for the purchase of the Babcock Crescent B Ranch as provided in s. 259.1052. 16 (13) The distribution of proceeds deposited into the 17 18 Water Management Lands Trust Fund and the Conservation and Recreation Lands Trust Fund, pursuant to subsections (4) and 19 (5), shall not be used for land acquisition, but may be used 20 21 for preacquisition costs associated with land purchases. The 22 Legislature intends that the Florida Forever program supplant the acquisition programs formerly authorized under ss. 259.032 23 24 and 373.59. Prior to the 2005 Regular Session of the Legislature, the Acquisition and Restoration Council shall 25 26 review and make recommendations to the Legislature concerning the need to repeal this provision. Based on these 27 recommendations, the Legislature shall review the need to 28 29 repeal this provision during the 2005 Regular Session. Section 2. Effective July 1, 2007, paragraph (e) of 30 31 subsection (1) and subsections (2), (11), and (13) of section 03/13/06 s1226.ep15.0d1 12:24 PM

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201.15, Florida Statutes, as amended by section 1 of chapter 2005-92, Laws of Florida, and as amended by this act, are amended to read:

- 201.15 Distribution of taxes collected.—All taxes collected under this chapter shall be distributed as follows and shall be subject to the service charge imposed in s.

 215.20(1), except that such service charge shall not be levied against any portion of taxes pledged to debt service on bonds to the extent that the amount of the service charge is required to pay any amounts relating to the bonds:
- (1) Sixty-two and sixty-three hundredths percent of the remaining taxes collected under this chapter shall be used for the following purposes:
- (e) The remainder of the moneys distributed under this subsection, after the required payments under paragraphs (a), (b), (c), and (d) shall be paid into the State Treasury to the credit of the General Revenue Fund to be used and expended for the purposes for which the General Revenue Fund was created and exists by law or to the Ecosystem Management and Restoration Trust Fund or, the Marine Resources Conservation Trust Fund, or the Florida Forever Trust Fund, as provided in subsection (11).
- (2) The lesser of seven and fifty-six hundredths percent of the remaining taxes collected under this chapter or \$84.9 million in each fiscal year shall be used for the following purposes:

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law or to the Ecosystem Management and Restoration Trust Fund or, the Marine Resources Conservation Trust Fund, or the 2 Florida Forever Trust Fund, as provided in subsection (11). 3 Payments made under this paragraph shall continue until the cumulative amount credited to the General Revenue Fund for the 5 fiscal year under this paragraph equals the cumulative 7 payments made under paragraph (1)(c) for the same fiscal year. (b) The remainder of the moneys distributed under this 8 subsection shall be paid into the State Treasury to the credit 9 10 of the Land Acquisition Trust Fund. Sums deposited in the fund 11 pursuant to this subsection may be used for any purpose for which funds deposited in the Land Acquisition Trust Fund may 12 13 lawfully be used. (11) (a) From the moneys specified in paragraphs (1)(e) 14 15 and (2)(a) and prior to deposit of any moneys into the General 16 Revenue Fund, \$30 million shall be paid into the State Treasury to the credit of the Ecosystem Management and 17 Restoration Trust Fund in fiscal year 2000-2001 and each 18 fiscal year thereafter, to be used for the preservation and 19 20 repair of the state's beaches as provided in ss. 161.091-161.212, and \$2 million shall be paid into the State 21 22 Treasury to the credit of the Marine Resources Conservation Trust Fund to be used for marine mammal care as provided in s. 23 24 370.0603(3). (b) For the 2006-2007 fiscal year, prior to deposit of 25 26 any moneys into the General Revenue Fund authorized in this subsection, the sum of \$310 million shall be paid into the 27 28 State Treasury to the credit of the Florida Forever Trust 29 Fund, to be used for the purchase of the Babcock Crescent B Ranch Florida Forever acquisition authorized in s. 259.1052. 30 31 (13) The distribution of proceeds deposited into the 12:24 PM 03/13/06 s1226.ep15.0d1

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Water Management Lands Trust Fund and the Conservation and Recreation Lands Trust Fund, pursuant to subsections (4) and 2 (5), shall not be used for land acquisition, but may be used 3 for preacquisition costs associated with land purchases. The Legislature intends that the Florida Forever program supplant 5 the acquisition programs formerly authorized under ss. 259.032 7 and 373.59. Prior to the 2005 Regular Session of the 8 Legislature, the Acquisition and Restoration Council shall review and make recommendations to the Legislature concerning 9 10 the need to repeal this provision. Based on these 11 recommendations, the Legislature shall review the need to repeal this provision during the 2005 Regular Session. 12 13 Section 3. Paragraph (b) of subsection (2), paragraphs (e) and (f) of subsection (9), paragraph (d) of subsection 14 15 (10), and paragraph (b) of subsection (11) of section 259.032, Florida Statutes, are amended to read: 16 259.032 Conservation and Recreation Lands Trust Fund; 17 18 purpose. --19 (2)20 (b) There shall annually be transferred from the 21 Conservation and Recreation Lands Trust Fund to the Land 22 Acquisition Trust Fund that amount, not to exceed \$20 million annually, as shall be necessary to pay the debt service on, or 23 24 fund debt service reserve funds, rebate obligations, or other amounts with respect to bonds issued pursuant to s. 375.051 to 25 acquire lands on the established priority list developed 26 pursuant to ss. 259.101(4) and 259.105 this section; however, 27 no moneys transferred to the Land Acquisition Trust Fund 28 29 pursuant to this paragraph, or earnings thereon, shall be used or made available to pay debt service on the Save Our Coast 30 revenue bonds. Amounts transferred annually from the 12:24 PM 03/13/06 s1226.ep15.0d1

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Conservation and Recreation Lands Trust Fund to the Land Acquisition Trust Fund pursuant to this paragraph shall have 2 the highest priority over other payments or transfers from the 3 Conservation and Recreation Lands Trust Fund, and no other payments or transfers shall be made from the Conservation and 5 Recreation Lands Trust Fund until such transfers to the Land 7 Acquisition Trust Fund have been made. Effective July 1, 2001, Moneys in the Conservation and Recreation Lands Trust Fund 8 also shall be used to manage lands and to pay for related 10 costs, activities, and functions pursuant to the provisions of 11 this section. (9) All lands managed under this chapter and s. 12 253.034 shall be: 13 (e) Concurrent with the approval of the acquisition 14 15 contract pursuant to s. 259.041(3)(c) for any interest in 16 lands except those lands being acquired under the provisions of s. 259.1052, the board of trustees shall designate an 17 agency or agencies to manage such lands. The board and shall 18 19 evaluate and amend, as appropriate, the management policy statement for the project as provided by s. 259.035, 20 21 consistent with the purposes for which the lands are acquired. 22 For any fee simple acquisition of a parcel which is or will be leased back for agricultural purposes, or any acquisition of a 23 24 less-than-fee interest in land that is or will be used for agricultural purposes, the Board of Trustees of the Internal 25 Improvement Trust Fund shall first consider having a soil and 26 water conservation district, created pursuant to chapter 582, 27 28 manage and monitor such interests. 29 (f) State agencies designated to manage lands acquired 30 under this chapter except those lands acquired under s. 259.1052 may contract with local governments and soil and

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water conservation districts to assist in management activities, including the responsibility of being the lead land manager. Such land management contracts may include a 3 provision for the transfer of management funding to the local government or soil and water conservation district from the 5 Conservation and Recreation Lands Trust Fund in an amount 7 adequate for the local government or soil and water conservation district to perform its contractual land 8 management responsibilities and proportionate to its 10 responsibilities, and which otherwise would have been expended 11 by the state agency to manage the property. (10)12 13 (d) 1. For each project for which lands are acquired after July 1, 1995, an individual management plan shall be 14 15 adopted and in place no later than 1 year after the essential 16 parcel or parcels identified in the priority list developed pursuant to ss. 259.101(4) and 259.105 in the annual 17 18 Conservation and Recreation Lands report prepared pursuant to 19 s. 259.035(2)(a) have been acquired. Beginning in fiscal year 1998-1999, The Department of Environmental Protection shall 20 21 distribute only 75 percent of the acquisition funds to which a 22 budget entity or water management district would otherwise be entitled from the Preservation 2000 Trust Fund to any budget 23 24 entity or any water management district that has more than one-third of its management plans overdue. 25 2. The requirements of subparagraph 1. do not apply to 26 the individual management plan for the Babcock Crescent B 27 Ranch being acquired pursuant to s. 259.1052. The management 28 29 plan for the ranch shall be adopted and in place no later than

31 (11)

30

2 years from the date of acquisition by the state.

1	(b) An amount up to 1.5 percent of the cumulative
2	total of funds ever deposited into the Florida Preservation
3	2000 Trust Fund and the Florida Forever Trust Fund shall be
4	made available for the purposes of management, maintenance,
5	and capital improvements not eligible for funding pursuant to
6	s. 11(e), Art. VII of the State Constitution, and for
7	associated contractual services, for lands acquired pursuant
8	to this section, s. 259.101, s. 259.105, <u>s. 259.1052,</u> or
9	previous programs for the acquisition of lands for
10	conservation and recreation, including state forests, to which
11	title is vested in the board of trustees and other
12	conservation and recreation lands managed by a state agency.
13	Of this amount, \$250,000 shall be transferred annually to the
14	Plant Industry Trust Fund within the Department of Agriculture
15	and Consumer Services for the purpose of implementing the
16	Endangered or Threatened Native Flora Conservation Grants
17	Program pursuant to s. 581.185(11). Each agency with
18	management responsibilities shall annually request from the
19	Legislature funds sufficient to fulfill such responsibilities.
20	For the purposes of this paragraph, capital improvements shall
21	include, but need not be limited to, perimeter fencing, signs,
22	firelanes, access roads and trails, and minimal public
23	accommodations, such as primitive campsites, garbage
24	receptacles, and toilets. Any equipment purchased with funds
25	provided pursuant to this paragraph may be used for the
26	purposes described in this paragraph on any conservation and
27	recreation lands managed by a state agency.
28	Section 4. Subsections (1) and (2) of section
29	259.1051, Florida Statutes, are amended to read:
30	259.1051 Florida Forever Trust Fund
31	(1) There is created the Florida Forever Trust Fund to $_{ m 9}$
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1	carry out the purposes of ss. 259.032, 259.105, <u>259.1052</u> , and
2	375.031. The Florida Forever Trust Fund shall be held and
3	administered by the Department of Environmental Protection.
4	Proceeds from the sale of bonds, except proceeds of refunding
5	bonds, issued under s. 215.618 and payable from moneys
6	transferred to the Land Acquisition Trust Fund under s.
7	201.15(1)(a), not to exceed \$3 billion, must be deposited into
8	this trust fund to be distributed and used as provided in s.
9	259.105(3). The bond resolution adopted by the governing board
10	of the Division of Bond Finance of the State Board of
11	Administration may provide for additional provisions that
12	govern the disbursement of the bond proceeds.
13	(2) The Department of Environmental Protection shall
14	distribute revenues from the Florida Forever Trust Fund only
15	to programs of state agencies or local governments as set out
16	in s. 259.105(3) or as provided in s. 259.1052. Excluding
17	distributions to the Save Our Everglades Trust Fund <u>and</u>
18	distributions for the acquisition of the Babcock Crescent B
19	Ranch as provided in s. 259.1052, the distributions shall be
20	spent by the recipient within 90 days after the date on which
21	the Department of Environmental Protection initiates the
22	transfer.
23	Section 5. Section 259.1052, Florida Statutes, is
24	created to read:
25	259.1052 Babcock Crescent B Ranch Florida Forever
26	acquisition; conditions for purchase
27	(1) The purchase of the state's portion of the Babcock
28	Crescent B Ranch by the Board of Trustees of the Internal
29	Improvement Trust Fund is a conservation acquisition under the
30	Florida Forever program created in s. 259.105.
31	(2) The Babcock Crescent B Ranch constitutes a unique
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1	land mass that has significant scientific, cultural,
2	historical, recreational, ecological, wildlife, fisheries, and
3	productive values. The property is part of a potential
4	greenway of undeveloped land extending from Lake Okeechobee to
5	the east and Charlotte Harbor to the west. The natural beauty
6	and abundant resources of the ranch provide numerous public
7	recreational opportunities such as hiking, fishing, camping,
8	horseback riding, and hunting.
9	(3) The Legislature recognizes that the acquisition of
10	the state's portion of the Babcock Crescent B Ranch represents
11	a unique opportunity to assist in preserving the largest
12	private and undeveloped single-ownership tract of land in
13	Charlotte County. The Legislature further recognizes Lee
14	County as a partner in the acquisition of the ranch.
15	(4) This section authorizes the acquisition of the
16	state's portion of the Babcock Crescent B Ranch in order to
17	protect and preserve for future generations the scientific,
18	scenic, historic, and natural values of the ranch, including
19	rivers and ecosystems; to protect and preserve the
20	archaeological, geological, and cultural resources of the
21	ranch; to provide for species recovery; and to provide
22	opportunities for public recreation.
23	(5) The Legislature encourages the use of documentary
24	stamp tax revenues under s. 201.15 for the purchase of the
25	state's portion of the Babcock Crescent B Ranch so that the
26	purchase may be completed in one transaction, closing on or
27	before July 31, 2006.
28	(6) The Fish and Wildlife Conservation Commission and
29	the Department of Agriculture and Consumer Services shall be
30	the lead managing agencies responsible for the management of
31	Babcock Crescent B Ranch.
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1	(7) In addition to distributions authorized under s.
2	259.105(3), the Department of Environmental Protection is
3	authorized to distribute \$310 million in revenues from the
4	Florida Forever Trust Fund. This distribution shall be made in
5	one payment and shall represent payment in full for the
6	portion of the Babcock Crescent B Ranch to be acquired by the
7	state under this section.
8	(8) As used in this section, the term "state's
9	portion of the Babcock Crescent B Ranch" comprises that
10	portion of the property described in Exhibit "A" attached to
11	the Agreement for Sale and Purchase executed by the Board of
12	Trustees of the Internal Improvement Fund, the Fish and
13	Wildlife Conservation Commission, the Department of
14	Agriculture and Consumer Services, and the participating local
15	government, as purchasers, and MSKP III, Inc., a Florida
16	corporation, as seller, which shall be conveyed by special
17	warranty deed to the Board of Trustees of the Internal
18	Improvement Trust Fund on or before July 31, 2006, and
19	recorded in the public records of Charlotte County.
20	Section 6. Section 259.10521, Florida Statutes, is
21	created to read:
22	259.10521 Babcock Ranch citizen support organization;
23	use of property; audit
24	(1) DEFINITIONSFor the purpose of this section, the
25	"Babcock Ranch citizen support organization" means an
26	organization which is:
27	(a) A Florida corporation not for profit incorporated
28	under the provisions of chapter 617 and approved by the
29	Department of State;
30	(b) Organized and operated to conduct programs and
31	activities; raise funds; request and receive grants, gifts,
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1	and bequests of money; acquire, receive, hold, invest, and
2	administer, in its own name, securities, funds, objects of
3	value, or other property, real or personal; and make
4	expenditures to or for the direct or indirect benefit of the
5	Babcock Crescent B Ranch;
6	(c) Determined by the Fish and Wildlife Conservation
7	Commission and the Division of Forestry at the Department of
8	Agriculture and Consumer Services to be consistent with the
9	goals of the ranch acquisition and in the best interests of
10	the state; and
11	(d) Approved in writing by the Fish and Wildlife
12	Conservation Commission and the Division of Forestry to
13	operate for the direct or indirect benefit of the ranch. Such
14	approval shall be given in a letter of agreement from the Fish
15	and Wildlife Conservation Commission and the Division of
16	Forestry.
17	(2) USE OF PROPERTY
18	(a) The Fish and Wildlife Conservation Commission and
19	the Division of Forestry may permit, without charge,
20	appropriate use of fixed property and facilities of the
21	Babcock Crescent B Ranch by a citizen support organization,
22	subject to the provisions of this section. Such use must be
23	directly in keeping with the approved purposes of the citizen
24	support organization, and may not be made at times or places
25	that would unreasonably interfere with recreational
26	opportunities for the general public.
27	(b) The Fish and Wildlife Conservation Commission and
28	the Division of Forestry may prescribe by rule any condition
29	with which the citizen support organization shall comply in
30	order to use fixed property or facilities of the ranch.
31	(c) The Fish and Wildlife Conservation Commission and
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the Division of Forestry shall not permit the use of any fixed property or facilities of the ranch by the citizen support 2 organization which does not provide equal membership and 3 4 employment opportunities to all persons regardless of race, color, religion, sex, age, or national origin. 5 6 (3) PARTNERSHIPS. --7 (a) The Legislature recognizes that the Babcock Crescent B Ranch will need a variety of facilities to enhance 8 its public use and potential. Such facilities include, but are 9 10 not limited to, improved access, camping areas, picnic 11 shelters, management facilities, and environmental education facilities. The need for such facilities may exceed the 12 13 ability of the state to provide such facilities in a timely manner with moneys available. The Legislature finds it to be 14 15 in the public interest to provide incentives for partnerships 16 with private organizations with the intent of producing additional revenue to help enhance the use and potential of 17 18 the ranch. 19 (b) The Legislature may annually appropriate funds 20 from the Land Acquisition Trust Fund for use only as state 21 matching funds, in conjunction with private donations in 22 aggregates of at least \$60,000, matched by \$40,000 of state funds, for a total minimum project amount of \$100,000 for 23 2.4 capital improvement facility development at the ranch, at either individually designated locations or for priority 2.5 projects within the overall ranch system. The Babcock Ranch 26 27 citizen support organization may acquire private donations pursuant to this section, and matching state funds for 28 29 approved projects may be provided in accordance with this subsection. The Fish and Wildlife Conservation Commission and 30 the Division of Forestry are authorized to properly recognize 14

1	and honor a private donor by placing a plaque or other
2	appropriate designation noting the contribution on project
3	facilities or by naming project facilities after the person or
4	organization that provided matching funds. The Fish and
5	Wildlife Conservation Commission and the Division of Forestry
6	are authorized to adopt necessary administrative rules to
7	carry out the purposes of this subsection.
8	Section 7. Except as otherwise expressly provided in
9	this act, this act shall take effect upon becoming a law.
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11	
12	======== T I T L E A M E N D M E N T =========
13	And the title is amended as follows:
14	Delete everything before the enacting clause
15	
16	and insert:
17	A bill to be entitled
18	An act relating to land acquisition; amending
19	s. 201.15, F.S.; authorizing the distribution
20	of certain moneys into the Florida Forever
21	Trust Fund for the purchase of the state's
22	portion of the Babcock Crescent B Ranch;
23	deleting provisions authorizing the
24	distribution of certain moneys into the Florida
25	Forever Trust Fund; amending s. 259.032, F.S.;
26	authorizing the use of funds in the
27	Conservation and Recreation Lands Trust Fund
28	for management, maintenance, and capital
29	improvements for conservation and recreation
30	lands, including lands acquired under the
31	Babcock Crescent B Ranch Florida Forever 15
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1	acquisition; revising requirements for the
2	development of an individual land management
3	plan; amending s. 259.1051, F.S.; conforming
4	the distribution of funds from the Florida
5	Forever Trust Fund; creating s. 259.1052, F.S.;
6	providing for the acquisition of the state's
7	portion of the Babcock Crescent B Ranch;
8	encouraging the use of documentary stamp tax
9	revenues for the purchase of the state's
10	portion of the Babcock Crescent B Ranch;
11	granting authority to the Department of
12	Environmental Protection to distribute funds
13	for the acquisition of the Babcock Crescent B
14	Ranch, creating s. 259.10521, F.S.; authorizing
15	the creation of the Babcock Ranch citizen
16	support organization; providing duties and
17	responsibilities; providing a definition;
18	providing effective dates.
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