



1 Be It Enacted by the Legislature of the State of Florida:

2

3 Section 1. Subsections (1), (2), (11), and (13) of  
4 section 201.15, Florida Statutes, are amended to read:

5 201.15 Distribution of taxes collected.--All taxes  
6 collected under this chapter shall be distributed as follows  
7 and shall be subject to the service charge imposed in s.  
8 215.20(1), except that such service charge shall not be levied  
9 against any portion of taxes pledged to debt service on bonds  
10 to the extent that the amount of the service charge is  
11 required to pay any amounts relating to the bonds:

12 (1) Sixty-two and sixty-three hundredths percent of  
13 the remaining taxes collected under this chapter shall be used  
14 for the following purposes:

15 (a) Amounts as shall be necessary to pay the debt  
16 service on, or fund debt service reserve funds, rebate  
17 obligations, or other amounts payable with respect to  
18 Preservation 2000 bonds issued pursuant to s. 375.051 and  
19 Florida Forever bonds issued pursuant to s. 215.618, shall be  
20 paid into the State Treasury to the credit of the Land  
21 Acquisition Trust Fund to be used for such purposes. The  
22 amount transferred to the Land Acquisition Trust Fund for such  
23 purposes shall not exceed \$300 million in fiscal year  
24 1999-2000 and thereafter for Preservation 2000 bonds and bonds  
25 issued to refund Preservation 2000 bonds, and \$300 million in  
26 fiscal year 2000-2001 and thereafter for Florida Forever  
27 bonds, except that the total amount transferred to the Land  
28 Acquisition Trust Fund for Florida Forever bonds may exceed  
29 \$300 million for the purpose of paying the debt service on  
30 Florida Forever bonds issued to purchase the Babcock Ranch  
31 Florida Forever acquisition authorized in s. 259.1052. The

1 annual amount transferred to the Land Acquisition Trust Fund  
2 for Florida Forever bonds shall not exceed \$30 million in the  
3 first fiscal year in which bonds are issued. The limitation on  
4 the amount transferred shall be increased by at least ~~an~~  
5 ~~additional~~ \$30 million in each subsequent fiscal year, but  
6 shall not exceed a total of \$300 million in any fiscal year  
7 for all bonds issued except as otherwise provided in this  
8 paragraph. It is the intent of the Legislature that all bonds  
9 issued to fund the Florida Forever Act be retired by December  
10 31, 2030. Except for bonds issued to refund previously issued  
11 bonds, no series of bonds may be issued pursuant to this  
12 paragraph unless such bonds are approved and the debt service  
13 for the remainder of the fiscal year in which the bonds are  
14 issued is specifically appropriated in the General  
15 Appropriations Act. For purposes of refunding Preservation  
16 2000 bonds, amounts designated within this section for  
17 Preservation 2000 and Florida Forever bonds may be transferred  
18 between the two programs to the extent provided for in the  
19 documents authorizing the issuance of the bonds. The  
20 Preservation 2000 bonds and Florida Forever bonds shall be  
21 equally and ratably secured by moneys distributable to the  
22 Land Acquisition Trust Fund pursuant to this section, except  
23 to the extent specifically provided otherwise by the documents  
24 authorizing the issuance of the bonds. No moneys transferred  
25 to the Land Acquisition Trust Fund pursuant to this paragraph,  
26 or earnings thereon, shall be used or made available to pay  
27 debt service on the Save Our Coast revenue bonds.

28 (b) The remainder of the moneys distributed under this  
29 subsection, after the required payment under paragraph (a),  
30 shall be paid into the State Treasury to the credit of the  
31 Save Our Everglades Trust Fund in amounts necessary to pay

1 debt service, provide reserves, and pay rebate obligations and  
2 other amounts due with respect to bonds issued under s.  
3 215.619.

4 (c) The remainder of the moneys distributed under this  
5 subsection, after the required payments under paragraphs (a)  
6 and (b), shall be paid into the State Treasury to the credit  
7 of the Land Acquisition Trust Fund and may be used for any  
8 purpose for which funds deposited in the Land Acquisition  
9 Trust Fund may lawfully be used. Payments made under this  
10 paragraph shall continue until the cumulative amount credited  
11 to the Land Acquisition Trust Fund for the fiscal year under  
12 this paragraph and paragraph (2)(b) equals 70 percent of the  
13 current official forecast for distributions of taxes collected  
14 under this chapter pursuant to subsection (2). As used in this  
15 paragraph, the term "current official forecast" means the most  
16 recent forecast as determined by the Revenue Estimating  
17 Conference. If the current official forecast for a fiscal year  
18 changes after payments under this paragraph have ended during  
19 that fiscal year, no further payments are required under this  
20 paragraph during the fiscal year.

21 (d) The remainder of the moneys distributed under this  
22 subsection, after the required payments under paragraphs (a),  
23 (b), and (c), shall be paid into the State Treasury to the  
24 credit of:

25 1. The State Transportation Trust Fund in the  
26 Department of Transportation in the amount of \$541.75 million  
27 in each fiscal year, to be paid in quarterly installments and  
28 used for the following specified purposes, notwithstanding any  
29 other law to the contrary:

30  
31

1           a. For the purposes of capital funding for the New  
2 Starts Transit Program, authorized by Title 49, U.S.C. s. 5309  
3 and specified in s. 341.051, 10 percent of these funds;

4           b. For the purposes of the Small County Outreach  
5 Program specified in s. 339.2818, 5 percent of these funds;

6           c. For the purposes of the Strategic Intermodal System  
7 specified in ss. 339.61, 339.62, 339.63, and 339.64, 75

8 percent of these funds after allocating for the New Starts  
9 Transit Program described in sub-subparagraph a. and the Small

10 County Outreach Program described in sub-subparagraph b.; and

11           d. For the purposes of the Transportation Regional  
12 Incentive Program specified in s. 339.2819, 25 percent of

13 these funds after allocating for the New Starts Transit  
14 Program described in sub-subparagraph a. and the Small County

15 Outreach Program described in sub-subparagraph b.

16           2. The Water Protection and Sustainability Program  
17 Trust Fund in the Department of Environmental Protection in  
18 the amount of \$100 million in each fiscal year, to be paid in  
19 quarterly installments and used as required by s. 403.890.

20           3. The Public Education Capital Outlay and Debt  
21 Service Trust Fund in the Department of Education in the  
22 amount of \$105 million in each fiscal year, to be paid in  
23 monthly installments with \$75 million used to fund the

24 Classrooms for Kids Program created in s. 1013.735, and \$30  
25 million to be used to fund the High Growth County District

26 Capital Outlay Assistance Grant Program created in s.  
27 1013.738. If required, new facilities constructed under the  
28 Classrooms for Kids Program must meet the requirements of s.  
29 1013.372.

30           4. The Grants and Donations Trust Fund in the  
31 Department of Community Affairs in the amount of \$3.25 million

1 in each fiscal year to be paid in monthly installments, with  
2 \$3 million to be used to fund technical assistance to local  
3 governments and school boards on the requirements and  
4 implementation of this act and \$250,000 to be used to fund the  
5 Century Commission established in s. 163.3247.

6  
7 Moneys distributed pursuant to this paragraph may not be  
8 pledged for debt service unless such pledge is approved by  
9 referendum of the voters.

10 (e) The remainder of the moneys distributed under this  
11 subsection, after the required payments under paragraphs (a),  
12 (b), (c), and (d), shall be paid into the State Treasury to  
13 the credit of the General Revenue Fund of the state to be used  
14 and expended for the purposes for which the General Revenue  
15 Fund was created and exists by law or to the Ecosystem  
16 Management and Restoration Trust Fund, ~~or to~~ the Marine  
17 Resources Conservation Trust Fund, or the Florida Forever  
18 Trust Fund, as provided in subsection (11).

19 (2) Seven and fifty-six hundredths percent of the  
20 remaining taxes collected under this chapter shall be used for  
21 the following purposes:

22 (a) Beginning in the month following the final payment  
23 for a fiscal year under paragraph (1)(c), available moneys  
24 shall be paid into the State Treasury to the credit of the  
25 General Revenue Fund of the state to be used and expended for  
26 the purposes for which the General Revenue Fund was created  
27 and exists by law or to the Ecosystem Management and  
28 Restoration Trust Fund, ~~or to~~ the Marine Resources  
29 Conservation Trust Fund, or the Florida Forever Trust Fund, as  
30 provided in subsection (11). Payments made under this  
31 paragraph shall continue until the cumulative amount credited

1 to the General Revenue Fund for the fiscal year under this  
2 paragraph equals the cumulative payments made under paragraph  
3 (1)(c) for the same fiscal year.

4 (b) The remainder of the moneys distributed under this  
5 subsection shall be paid into the State Treasury to the credit  
6 of the Land Acquisition Trust Fund. Sums deposited in the fund  
7 pursuant to this subsection may be used for any purpose for  
8 which funds deposited in the Land Acquisition Trust Fund may  
9 lawfully be used.

10 (11)(a) From the moneys specified in paragraphs(1)(e)  
11 ~~(1)(d)~~ and (2)(a) and prior to deposit of any moneys into the  
12 General Revenue Fund, \$30 million shall be paid into the State  
13 Treasury to the credit of the Ecosystem Management and  
14 Restoration Trust Fund in fiscal year 2000-2001 and each  
15 fiscal year thereafter, to be used for the preservation and  
16 repair of the state's beaches as provided in ss.  
17 161.091-161.212, and \$2 million shall be paid into the State  
18 Treasury to the credit of the Marine Resources Conservation  
19 Trust Fund to be used for marine mammal care as provided in s.  
20 370.0603(3).

21 (b) For the 2006-2007 fiscal year, prior to deposit of  
22 any moneys into the General Revenue Fund authorized in this  
23 subsection, the sum of \$310 million shall be paid into the  
24 State Treasury to the credit of the Florida Forever Trust  
25 Fund, to be used for the purchase of the Babcock Ranch Florida  
26 Forever acquisition authorized in s. 259.1052.

27 (13) The distribution of proceeds deposited into the  
28 Water Management Lands Trust Fund and the Conservation and  
29 Recreation Lands Trust Fund, pursuant to subsections (4) and  
30 (5), shall not be used for land acquisition, but may be used  
31 for preacquisition costs associated with land purchases. The

1 Legislature intends that the Florida Forever program supplant  
2 the acquisition programs formerly authorized under ss. 259.032  
3 and 373.59. ~~Prior to the 2005 Regular Session of the~~  
4 ~~Legislature, the Acquisition and Restoration Council shall~~  
5 ~~review and make recommendations to the Legislature concerning~~  
6 ~~the need to repeal this provision. Based on these~~  
7 ~~recommendations, the Legislature shall review the need to~~  
8 ~~repeal this provision during the 2005 Regular Session.~~

9 Section 2. Effective July 1, 2007, subsections (1),  
10 (2), and (11) of section 201.15, Florida Statutes, as amended  
11 by section 1 of chapter 2005-92, Laws of Florida, and as  
12 amended by this act, are amended to read:

13 201.15 Distribution of taxes collected.--All taxes  
14 collected under this chapter shall be distributed as follows  
15 and shall be subject to the service charge imposed in s.  
16 215.20(1), except that such service charge shall not be levied  
17 against any portion of taxes pledged to debt service on bonds  
18 to the extent that the amount of the service charge is  
19 required to pay any amounts relating to the bonds:

20 (1) Sixty-two and sixty-three hundredths percent of  
21 the remaining taxes collected under this chapter shall be used  
22 for the following purposes:

23 (a) Amounts as shall be necessary to pay the debt  
24 service on, or fund debt service reserve funds, rebate  
25 obligations, or other amounts payable with respect to  
26 Preservation 2000 bonds issued pursuant to s. 375.051 and  
27 Florida Forever bonds issued pursuant to s. 215.618, shall be  
28 paid into the State Treasury to the credit of the Land  
29 Acquisition Trust Fund to be used for such purposes. The  
30 amount transferred to the Land Acquisition Trust Fund shall  
31 not exceed \$300 million in fiscal year 1999-2000 and



1 thereafter for Preservation 2000 bonds and bonds issued to  
2 refund Preservation 2000 bonds, and \$300 million in fiscal  
3 year 2000-2001 and thereafter for Florida Forever bonds,  
4 except that the total amount transferred to the Land  
5 Acquisition Trust Fund for Florida Forever bonds may exceed  
6 \$300 million for the purpose of paying the debt service on  
7 Florida Forever bonds issued to purchase the Babcock Ranch  
8 Florida Forever acquisition authorized in s. 259.1052. The  
9 annual amount transferred to the Land Acquisition Trust Fund  
10 for Florida Forever bonds shall not exceed \$30 million in the  
11 first fiscal year in which bonds are issued. The limitation on  
12 the amount transferred shall be increased by at least \$30  
13 million in each subsequent fiscal year, but shall not exceed a  
14 total of \$300 million in any fiscal year for all bonds issued  
15 except as otherwise provided in this paragraph. It is the  
16 intent of the Legislature that all bonds issued to fund the  
17 Florida Forever Act be retired by December 31, 2030. Except  
18 for bonds issued to refund previously issued bonds, no series  
19 of bonds may be issued pursuant to this paragraph unless such  
20 bonds are approved and the debt service for the remainder of  
21 the fiscal year in which the bonds are issued is specifically  
22 appropriated in the General Appropriations Act. For purposes  
23 of refunding Preservation 2000 bonds, amounts designated  
24 within this section for Preservation 2000 and Florida Forever  
25 bonds may be transferred between the two programs to the  
26 extent provided for in the documents authorizing the issuance  
27 of the bonds. The Preservation 2000 bonds and Florida Forever  
28 bonds shall be equally and ratably secured by moneys  
29 distributable to the Land Acquisition Trust Fund pursuant to  
30 this section, except to the extent specifically provided  
31 otherwise by the documents authorizing the issuance of the

1 | bonds. No moneys transferred to the Land Acquisition Trust  
2 | Fund pursuant to this paragraph, or earnings thereon, shall be  
3 | used or made available to pay debt service on the Save Our  
4 | Coast revenue bonds.

5 |         (b) The remainder of the moneys distributed under this  
6 | subsection, after the required payment under paragraph (a),  
7 | shall be paid into the State Treasury to the credit of the  
8 | Save Our Everglades Trust Fund in amounts necessary to pay  
9 | debt service, provide reserves, and pay rebate obligations and  
10 | other amounts due with respect to bonds issued under s.  
11 | 215.619.

12 |         (c) The remainder of the moneys distributed under this  
13 | subsection, after the required payments under paragraphs (a)  
14 | and (b), shall be paid into the State Treasury to the credit  
15 | of the Land Acquisition Trust Fund and may be used for any  
16 | purpose for which funds deposited in the Land Acquisition  
17 | Trust Fund may lawfully be used. Payments made under this  
18 | paragraph shall continue until the cumulative amount credited  
19 | to the Land Acquisition Trust Fund for the fiscal year under  
20 | this paragraph and paragraph (2)(b) equals 70 percent of the  
21 | current official forecast for distributions of taxes collected  
22 | under this chapter pursuant to subsection (2). As used in this  
23 | paragraph, the term "current official forecast" means the most  
24 | recent forecast as determined by the Revenue Estimating  
25 | Conference. If the current official forecast for a fiscal year  
26 | changes after payments under this paragraph have ended during  
27 | that fiscal year, no further payments are required during the  
28 | fiscal year.

29 |         (d) The remainder of the moneys distributed under this  
30 | subsection, after the required payments under paragraphs (a),  
31 |

1 (b), and (c), shall be paid into the State Treasury to the  
2 credit of:

3 1. The State Transportation Trust Fund in the  
4 Department of Transportation in the amount of \$541.75 million  
5 in each fiscal year, to be paid in quarterly installments and  
6 used for the following specified purposes, notwithstanding any  
7 other law to the contrary:

8 a. For the purposes of capital funding for the New  
9 Starts Transit Program, authorized by Title 49, U.S.C. s. 5309  
10 and specified in s. 341.051, 10 percent of these funds;

11 b. For the purposes of the Small County Outreach  
12 Program specified in s. 339.2818, 5 percent of these funds;

13 c. For the purposes of the Strategic Intermodal System  
14 specified in ss. 339.61, 339.62, 339.63, and 339.64, 75  
15 percent of these funds after allocating for the New Starts  
16 Transit Program described in sub-subparagraph a. and the Small  
17 County Outreach Program described in sub-subparagraph b.; and

18 d. For the purposes of the Transportation Regional  
19 Incentive Program specified in s. 339.2819, 25 percent of  
20 these funds after allocating for the New Starts Transit  
21 Program described in sub-subparagraph a. and the Small County  
22 Outreach Program described in sub-subparagraph b.

23 2. The Water Protection and Sustainability Program  
24 Trust Fund in the Department of Environmental Protection in  
25 the amount of \$100 million in each fiscal year, to be paid in  
26 quarterly installments and used as required by s. 403.890.

27 3. The Public Education Capital Outlay and Debt  
28 Service Trust Fund in the Department of Education in the  
29 amount of \$105 million in each fiscal year, to be paid in  
30 monthly installments with \$75 million used to fund the  
31 Classrooms for Kids Program created in s. 1013.735, and \$30

1 million to be used to fund the High Growth County District  
2 Capital Outlay Assistance Grant Program created in s.  
3 1013.738. If required, new facilities constructed under the  
4 Classrooms for Kids Program must meet the requirements of s.  
5 1013.372.

6           4. The Grants and Donations Trust Fund in the  
7 Department of Community Affairs in the amount of \$3.25 million  
8 in each fiscal year to be paid in monthly installments, with  
9 \$3 million to be used to fund technical assistance to local  
10 governments and school boards on the requirements and  
11 implementation of this act and \$250,000 to be used to fund the  
12 Century Commission established in s. 163.3247.

13  
14 Moneys distributed pursuant to this paragraph may not be  
15 pledged for debt service unless such pledge is approved by  
16 referendum of the voters.

17           (e) The remainder of the moneys distributed under this  
18 subsection, after the required payments under paragraphs (a),  
19 (b), (c), and (d) shall be paid into the State Treasury to the  
20 credit of the General Revenue Fund to be used and expended for  
21 the purposes for which the General Revenue Fund was created  
22 and exists by law or to the Ecosystem Management and  
23 Restoration Trust Fund or~~7~~ the Marine Resources Conservation  
24 Trust Fund, ~~or the Florida Forever Trust Fund~~, as provided in  
25 subsection (11).

26           (2) The lesser of seven and fifty-six hundredths  
27 percent of the remaining taxes collected under this chapter or  
28 \$84.9 million in each fiscal year shall be used for the  
29 following purposes:

30           (a) Beginning in the month following the final payment  
31 for a fiscal year under paragraph (1)(c), available moneys

1 shall be paid into the State Treasury to the credit of the  
2 General Revenue Fund to be used and expended for the purposes  
3 for which the General Revenue Fund was created and exists by  
4 law or to the Ecosystem Management and Restoration Trust Fund  
5 or, the Marine Resources Conservation Trust Fund, ~~or the~~  
6 ~~Florida Forever Trust Fund~~, as provided in subsection (11).  
7 Payments made under this paragraph shall continue until the  
8 cumulative amount credited to the General Revenue Fund for the  
9 fiscal year under this paragraph equals the cumulative  
10 payments made under paragraph (1)(c) for the same fiscal year.

11 (b) The remainder of the moneys distributed under this  
12 subsection shall be paid into the State Treasury to the credit  
13 of the Land Acquisition Trust Fund. Sums deposited in the fund  
14 pursuant to this subsection may be used for any purpose for  
15 which funds deposited in the Land Acquisition Trust Fund may  
16 lawfully be used.

17 (11)~~(a)~~ From the moneys specified in paragraphs (1)(e)  
18 and (2)(a) and prior to deposit of any moneys into the General  
19 Revenue Fund, \$30 million shall be paid into the State  
20 Treasury to the credit of the Ecosystem Management and  
21 Restoration Trust Fund in fiscal year 2000-2001 and each  
22 fiscal year thereafter, to be used for the preservation and  
23 repair of the state's beaches as provided in ss.  
24 161.091-161.212, and \$2 million shall be paid into the State  
25 Treasury to the credit of the Marine Resources Conservation  
26 Trust Fund to be used for marine mammal care as provided in s.  
27 370.0603(3).

28 ~~(b) For the 2006-2007 fiscal year, prior to deposit of~~  
29 ~~any moneys into the General Revenue Fund authorized in this~~  
30 ~~subsection, the sum of \$310 million shall be paid into the~~  
31 ~~State Treasury to the credit of the Florida Forever Trust~~

1 ~~Fund, to be used for the purchase of the Babcock Ranch Florida~~  
2 ~~Forever acquisition authorized in s. 259.1052.~~

3 Section 3. Subsections (1) and (5) of section 215.618,  
4 Florida Statutes, are amended to read:

5 215.618 Bonds for acquisition and improvement of land,  
6 water areas, and related property interests and resources.--

7 (1) The issuance of Florida Forever bonds, not to  
8 exceed \$3 billion, to finance or refinance the cost of  
9 acquisition and improvement of land, water areas, and related  
10 property interests and resources, in urban and rural settings,  
11 for the purposes of restoration, conservation, recreation,  
12 water resource development, or historical preservation, and  
13 for capital improvements to lands and water areas that  
14 accomplish environmental restoration, enhance public access  
15 and recreational enjoyment, promote long-term management  
16 goals, and facilitate water resource development is hereby  
17 authorized, subject to the provisions of ss. s- 259.105 and  
18 259.1052 and pursuant to s. 11(e), Art. VII of the State  
19 Constitution. Florida Forever bonds may also be issued to  
20 refund Preservation 2000 bonds issued pursuant to s. 375.051.  
21 The \$3 billion limitation on the issuance of Florida Forever  
22 bonds does not apply to refunding bonds. The duration of each  
23 series of Florida Forever bonds issued may not exceed 20  
24 annual maturities. Preservation 2000 bonds and Florida Forever  
25 bonds shall be equally and ratably secured by moneys  
26 distributable to the Land Acquisition Trust Fund pursuant to  
27 s. 201.15(1)(a), except to the extent specifically provided  
28 otherwise by the documents authorizing the issuance of the  
29 bonds.

30 (5) The proceeds from the sale of bonds issued  
31 pursuant to this section, less the costs of issuance, the

1 costs of funding reserve accounts, and other costs with  
2 respect to the bonds, shall be deposited into the Florida  
3 Forever Trust Fund. The bond proceeds deposited into the  
4 Florida Forever Trust Fund shall be distributed by the  
5 Department of Environmental Protection as provided in ss. s-  
6 259.105 and 259.1052.

7 Section 4. Paragraph (b) of subsection (2) and  
8 paragraph (b) of subsection (11) of section 259.032, Florida  
9 Statutes, are amended to read:

10 259.032 Conservation and Recreation Lands Trust Fund;  
11 purpose.--

12 (2)

13 (b) There shall annually be transferred from the  
14 Conservation and Recreation Lands Trust Fund to the Land  
15 Acquisition Trust Fund that amount, not to exceed \$20 million  
16 annually, as shall be necessary to pay the debt service on, or  
17 fund debt service reserve funds, rebate obligations, or other  
18 amounts with respect to bonds issued pursuant to s. 375.051 to  
19 acquire lands on the established priority list developed  
20 pursuant to ss. 259.101(4) and 259.105 ~~this section~~; however,  
21 no moneys transferred to the Land Acquisition Trust Fund  
22 pursuant to this paragraph, or earnings thereon, shall be used  
23 or made available to pay debt service on the Save Our Coast  
24 revenue bonds. Amounts transferred annually from the  
25 Conservation and Recreation Lands Trust Fund to the Land  
26 Acquisition Trust Fund pursuant to this paragraph shall have  
27 the highest priority over other payments or transfers from the  
28 Conservation and Recreation Lands Trust Fund, and no other  
29 payments or transfers shall be made from the Conservation and  
30 Recreation Lands Trust Fund until such transfers to the Land  
31 Acquisition Trust Fund have been made. ~~Effective July 1, 2001,~~

1 Moneys in the Conservation and Recreation Lands Trust Fund  
2 also shall be used to manage lands and to pay for related  
3 costs, activities, and functions pursuant to the provisions of  
4 this section.

5 (11)

6 (b) An amount up to 1.5 percent of the cumulative  
7 total of funds ever deposited into the Florida Preservation  
8 2000 Trust Fund and the Florida Forever Trust Fund shall be  
9 made available for the purposes of management, maintenance,  
10 and capital improvements not eligible for funding pursuant to  
11 s. 11(e), Art. VII of the State Constitution, and for  
12 associated contractual services, for lands acquired pursuant  
13 to this section, s. 259.101, s. 259.105, s. 259.1052, or  
14 previous programs for the acquisition of lands for  
15 conservation and recreation, including state forests, to which  
16 title is vested in the board of trustees and other  
17 conservation and recreation lands managed by a state agency.  
18 Of this amount, \$250,000 shall be transferred annually to the  
19 Plant Industry Trust Fund within the Department of Agriculture  
20 and Consumer Services for the purpose of implementing the  
21 Endangered or Threatened Native Flora Conservation Grants  
22 Program pursuant to s. 581.185(11). Each agency with  
23 management responsibilities shall annually request from the  
24 Legislature funds sufficient to fulfill such responsibilities.  
25 For the purposes of this paragraph, capital improvements shall  
26 include, but need not be limited to, perimeter fencing, signs,  
27 firelanes, access roads and trails, and minimal public  
28 accommodations, such as primitive campsites, garbage  
29 receptacles, and toilets. Any equipment purchased with funds  
30 provided pursuant to this paragraph may be used for the  
31



1 purposes described in this paragraph on any conservation and  
2 recreation lands managed by a state agency.

3 Section 5. Section 259.1051, Florida Statutes, is  
4 amended to read:

5 259.1051 Florida Forever Trust Fund.--

6 (1) There is created the Florida Forever Trust Fund to  
7 carry out the purposes of ss. 259.032, 259.105, 259.1052, and  
8 375.031. The Florida Forever Trust Fund shall be held and  
9 administered by the Department of Environmental Protection.

10 Moneys paid into the State Treasury in the 2006-2007 fiscal  
11 year to the credit of the Florida Forever Trust Fund, as

12 provided in s. 201.15(11), and proceeds from the sale of  
13 bonds, except proceeds of refunding bonds, issued under s.

14 215.618 and payable from moneys transferred to the Land  
15 Acquisition Trust Fund under s. 201.15(1)(a), not to exceed \$3

16 billion, must be deposited into this trust fund to be

17 distributed and used as provided in ss. ~~s.~~ 259.105(3) and

18 259.1052. The bond resolution adopted by the governing board  
19 of the Division of Bond Finance of the State Board of

20 Administration may provide for additional provisions that

21 govern the disbursement of the bond proceeds.

22 (2) The Department of Environmental Protection shall  
23 distribute revenues from the Florida Forever Trust Fund only

24 to programs of state agencies or local governments as set out  
25 in s. 259.105(3) or as provided in s. 259.1052. Excluding

26 distributions to the Save Our Everglades Trust Fund and

27 distributions for the acquisition of the Babcock Ranch Florida  
28 Forever acquisition as provided in s. 259.1052, the

29 distributions shall be spent by the recipient within 90 days

30 after the date on which the Department of Environmental

31 Protection initiates the transfer.

1           (3) The Department of Environmental Protection shall  
2 ensure that the proceeds from the sale of bonds issued under  
3 s. 215.618 and payable from moneys transferred to the Land  
4 Acquisition Trust Fund under s. 201.15(1)(a) shall be  
5 administered and expended in a manner that ensures compliance  
6 of each issue of bonds that are issued on the basis that  
7 interest thereon will be excluded from gross income for  
8 federal income tax purposes, with the applicable provisions of  
9 the United States Internal Revenue Code and the regulations  
10 promulgated thereunder, to the extent necessary to preserve  
11 the exclusion of interest on the bonds from gross income for  
12 federal income tax purposes. The Department of Environmental  
13 Protection shall administer the use and disbursement of the  
14 proceeds of such bonds or require that the use and  
15 disbursement thereof be administered in a manner to implement  
16 strategies to maximize any available benefits under the  
17 applicable provisions of the United States Internal Revenue  
18 Code or regulations promulgated thereunder, to the extent not  
19 inconsistent with the purposes identified in s. 259.105(3).

20           Section 6. Section 259.1052, Florida Statutes, is  
21 created to read:

22           259.1052 Babcock Ranch Florida Forever acquisition;  
23 conditions for purchase; bonding authority.--

24           (1) The Babcock Ranch constitutes a unique land mass  
25 that has significant scientific, cultural, historical,  
26 recreational, ecological, wildlife, fisheries, and productive  
27 values. The property is part of a potential greenway of  
28 undeveloped land extending from Lake Okeechobee to the east  
29 and Charlotte Harbor to the west. The natural beauty and  
30 abundant resources of the Babcock Ranch provide numerous  
31

1 public recreational opportunities such as hiking, fishing,  
2 camping, horseback riding, and hunting.

3 (2) The Legislature recognizes that the acquisition of  
4 the state's portion of the Babcock Ranch represents a unique  
5 opportunity to assist in preserving the largest private and  
6 undeveloped single-ownership tract of land in Charlotte  
7 County. The Legislature further recognizes Lee County as a  
8 partner in the acquisition of the Babcock Ranch.

9 (3) This section authorizes the acquisition of the  
10 state's portion of the Babcock Ranch in order to protect and  
11 preserve for future generations the scientific, scenic,  
12 historic, and natural values of the Babcock Ranch, including  
13 rivers and ecosystems; to protect and preserve the  
14 archaeological, geological, and cultural resources of the  
15 Babcock Ranch; to provide for species recovery; and to provide  
16 opportunities for public recreation.

17 (4) The Legislature encourages the use of cash for the  
18 purchase of the state's portion of the Babcock Ranch. The  
19 funding mechanism created in s. 201.15(11) authorizes the  
20 transfer of \$310 million in revenues from the documentary  
21 stamp tax to the Florida Forever Trust Fund so that the  
22 purchase of the state's portion of the Babcock Ranch may be  
23 completed in one transaction, closing on or before July 31,  
24 2006.

25 (5) If the Legislature does not authorize the use of  
26 cash for purchasing the state's portion of the Babcock Ranch,  
27 and notwithstanding the provisions of s. 259.105 and less the  
28 costs of issuing and the costs of funding reserve accounts and  
29 other costs associated with bonds, the proceeds of bonds  
30 issued pursuant to this section shall be deposited into the  
31 Florida Forever Trust Fund created by s. 259.1051 and shall be

1 expended by the Department of Environmental Protection for the  
2 acquisition of land and for capital projects necessary for  
3 acquiring the state's portion of the Babcock Ranch.

4 (6) For purposes of this section, bonds authorized  
5 under this subsection shall be a one-time issue in an amount  
6 sufficient to generate \$310 million in proceeds, which shall  
7 be expended on or before July 31, 2006. Proceeds generated  
8 from the sale of the bonds which are deposited into the  
9 Florida Forever Trust Fund shall be segregated from all other  
10 Florida Forever bond proceeds and shall be used only for the  
11 purposes of this section. Bond proceeds distributed to the  
12 Department of Environmental Protection for the purposes  
13 specified in this section comprise the total purchase price to  
14 acquire the state's portion of the Babcock Ranch.

15 (7) The Fish and Wildlife Conservation Commission and  
16 the Department of Agriculture and Consumer Services shall be  
17 responsible for the land management of Babcock Ranch, subject  
18 to the terms and conditions of a management agreement, which  
19 shall be executed by the Board of Trustees of the Internal  
20 Improvement Trust Fund, the Fish and Wildlife Conservation  
21 Commission, the Department of Agriculture and Consumer  
22 Services, the participating local government, as owners, and  
23 Babcock Ranch Management LLC, a Florida limited liability  
24 company, as manager, no later than July 31, 2006, and which  
25 shall terminate on July 31, 2016, unless terminated earlier  
26 under the provisions of the management agreement.

27 (8) As used in this section, the term "state's portion  
28 of the Babcock Ranch" comprises that portion of property  
29 described in Exhibit "A" and attached to the Agreement for  
30 Sale and Purchase and executed by the Board of Trustees of the  
31 Internal Improvement Fund, the Fish and Wildlife Conservation

1 Commission, the Department of Agriculture and Consumer  
2 Services, and the participating local government, as  
3 purchasers, and MSKP III, Inc., a Florida corporation, as  
4 seller, which shall be conveyed by warranty deed to the Board  
5 of Trustees of the Internal Improvement Trust Fund on or  
6 before July 31, 2006, and recorded in the public records of  
7 Charlotte County.

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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SENATE SUMMARY

Provides for the transfer of \$310 million of revenues from the documentary stamp tax to the Florida Forever Trust Fund to be used for the purchase of the state's portion of the Babcock Ranch in Charlotte and Lee Counties. Authorizes bonds to be issued for such purchase if necessary. Provides for funds in the Conservation and Recreation Lands Trust Fund to be used for managing and improving the Babcock Ranch acquisition. (See bill for details.)