

1 providing duties and responsibilities;
2 providing effective dates.

3
4 Be It Enacted by the Legislature of the State of Florida:

5
6 Section 1. Paragraph (e) of subsection (1) and
7 subsections (2), (11), and (13) of section 201.15, Florida
8 Statutes, are amended to read:

9 201.15 Distribution of taxes collected.--All taxes
10 collected under this chapter shall be distributed as follows
11 and shall be subject to the service charge imposed in s.
12 215.20(1), except that such service charge shall not be levied
13 against any portion of taxes pledged to debt service on bonds
14 to the extent that the amount of the service charge is
15 required to pay any amounts relating to the bonds:

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

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

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

31

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

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

20 (11)(a) From the moneys specified in paragraphs(1)(e)
21 ~~(1)(d)~~ and (2)(a) and prior to deposit of any moneys into the
22 General Revenue Fund, \$30 million shall be paid into the State
23 Treasury to the credit of the Ecosystem Management and
24 Restoration Trust Fund in fiscal year 2000-2001 and each
25 fiscal year thereafter, to be used for the preservation and
26 repair of the state's beaches as provided in ss.
27 161.091-161.212, and \$2 million shall be paid into the State
28 Treasury to the credit of the Marine Resources Conservation
29 Trust Fund to be used for marine mammal care as provided in s.
30 370.0603(3).
31

1 (b) For the 2006-2007 fiscal year, prior to deposit of
2 any moneys into the General Revenue Fund authorized in this
3 subsection, the sum of \$310 million shall be paid into the
4 State Treasury to the credit of the Florida Forever Trust
5 Fund, to be used for the purchase of the Babcock Crescent B
6 Ranch as provided in s. 259.1052.

7 (13) The distribution of proceeds deposited into the
8 Water Management Lands Trust Fund and the Conservation and
9 Recreation Lands Trust Fund, pursuant to subsections (4) and
10 (5), shall not be used for land acquisition, but may be used
11 for preacquisition costs associated with land purchases. The
12 Legislature intends that the Florida Forever program supplant
13 the acquisition programs formerly authorized under ss. 259.032
14 and 373.59. ~~Prior to the 2005 Regular Session of the~~
15 ~~Legislature, the Acquisition and Restoration Council shall~~
16 ~~review and make recommendations to the Legislature concerning~~
17 ~~the need to repeal this provision. Based on these~~
18 ~~recommendations, the Legislature shall review the need to~~
19 ~~repeal this provision during the 2005 Regular Session.~~

20 Section 2. Effective July 1, 2007, paragraph (e) of
21 subsection (1) and subsections (2), (11), and (13) of section
22 201.15, Florida Statutes, as amended by section 1 of chapter
23 2005-92, Laws of Florida, and as amended by this act, are
24 amended to read:

25 201.15 Distribution of taxes collected.--All taxes
26 collected under this chapter shall be distributed as follows
27 and shall be subject to the service charge imposed in s.
28 215.20(1), except that such service charge shall not be levied
29 against any portion of taxes pledged to debt service on bonds
30 to the extent that the amount of the service charge is
31 required to pay any amounts relating to the bonds:

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

4 (e) The remainder of the moneys distributed under this
5 subsection, after the required payments under paragraphs (a),
6 (b), (c), and (d) shall be paid into the State Treasury to the
7 credit of the General Revenue Fund to be used and expended for
8 the purposes for which the General Revenue Fund was created
9 and exists by law or to the Ecosystem Management and
10 Restoration Trust Fund or~~7~~ the Marine Resources Conservation
11 Trust Fund,~~or the Florida Forever Trust Fund~~, as provided in
12 subsection (11).

13 (2) The lesser of seven and fifty-six hundredths
14 percent of the remaining taxes collected under this chapter or
15 \$84.9 million in each fiscal year shall be used for the
16 following purposes:

17 (a) Beginning in the month following the final payment
18 for a fiscal year under paragraph (1)(c), available moneys
19 shall be paid into the State Treasury to the credit of the
20 General Revenue Fund to be used and expended for the purposes
21 for which the General Revenue Fund was created and exists by
22 law or to the Ecosystem Management and Restoration Trust Fund
23 or~~7~~ the Marine Resources Conservation Trust Fund,~~or the~~
24 ~~Florida Forever Trust Fund~~, as provided in subsection (11).

25 Payments made under this paragraph shall continue until the
26 cumulative amount credited to the General Revenue Fund for the
27 fiscal year under this paragraph equals the cumulative
28 payments made under paragraph (1)(c) for the same fiscal year.

29 (b) The remainder of the moneys distributed under this
30 subsection shall be paid into the State Treasury to the credit
31 of the Land Acquisition Trust Fund. Sums deposited in the fund

1 pursuant to this subsection may be used for any purpose for
2 which funds deposited in the Land Acquisition Trust Fund may
3 lawfully be used.

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

15 ~~(b) For the 2006-2007 fiscal year, prior to deposit of~~
16 ~~any moneys into the General Revenue Fund authorized in this~~
17 ~~subsection, the sum of \$310 million shall be paid into the~~
18 ~~State Treasury to the credit of the Florida Forever Trust~~
19 ~~Fund, to be used for the purchase of the Babcock Ranch Florida~~
20 ~~Forever acquisition authorized in s. 259.1052.~~

21 (13) The distribution of proceeds deposited into the
22 Water Management Lands Trust Fund and the Conservation and
23 Recreation Lands Trust Fund, pursuant to subsections (4) and
24 (5), shall not be used for land acquisition, but may be used
25 for preacquisition costs associated with land purchases. The
26 Legislature intends that the Florida Forever program supplant
27 the acquisition programs formerly authorized under ss. 259.032
28 and 373.59. ~~Prior to the 2005 Regular Session of the~~
29 ~~Legislature, the Acquisition and Restoration Council shall~~
30 ~~review and make recommendations to the Legislature concerning~~
31 ~~the need to repeal this provision. Based on these~~

1 ~~recommendations, the Legislature shall review the need to~~
2 ~~repeal this provision during the 2005 Regular Session.~~

3 Section 3. Paragraph (b) of subsection (2), paragraphs
4 (e) and (f) of subsection (9), paragraph (d) of subsection
5 (10), and paragraph (b) of subsection (11) of section 259.032,
6 Florida Statutes, are amended to read:

7 259.032 Conservation and Recreation Lands Trust Fund;
8 purpose.--

9 (2)

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

1 | costs, activities, and functions pursuant to the provisions of
2 | this section.

3 | (9) All lands managed under this chapter and s.
4 | 253.034 shall be:

5 | (e) Concurrent with the approval of the acquisition
6 | contract pursuant to s. 259.041(3)(c) for any interest in
7 | lands except those lands being acquired under the provisions
8 | of s. 259.1052, the board of trustees shall designate an
9 | agency or agencies to manage such lands. The board ~~and~~ shall
10 | evaluate and amend, as appropriate, the management policy
11 | statement for the project as provided by s. 259.035,
12 | consistent with the purposes for which the lands are acquired.
13 | For any fee simple acquisition of a parcel which is or will be
14 | leased back for agricultural purposes, or any acquisition of a
15 | less-than-fee interest in land that is or will be used for
16 | agricultural purposes, the Board of Trustees of the Internal
17 | Improvement Trust Fund shall first consider having a soil and
18 | water conservation district, created pursuant to chapter 582,
19 | manage and monitor such interests.

20 | (f) State agencies designated to manage lands acquired
21 | under this chapter except those lands acquired under s.
22 | 259.1052 may contract with local governments and soil and
23 | water conservation districts to assist in management
24 | activities, including the responsibility of being the lead
25 | land manager. Such land management contracts may include a
26 | provision for the transfer of management funding to the local
27 | government or soil and water conservation district from the
28 | Conservation and Recreation Lands Trust Fund in an amount
29 | adequate for the local government or soil and water
30 | conservation district to perform its contractual land
31 | management responsibilities and proportionate to its

1 responsibilities, and which otherwise would have been expended
2 by the state agency to manage the property.

3 (10)

4 (d)1. For each project for which lands are acquired
5 after July 1, 1995, an individual management plan shall be
6 adopted and in place no later than 1 year after the essential
7 parcel or parcels identified in the priority list developed
8 pursuant to ss. 259.101(4) and 259.105 in the annual
9 Conservation and Recreation Lands report prepared pursuant to
10 s. 259.035(2)(a) have been acquired. Beginning in fiscal year
11 1998-1999, The Department of Environmental Protection shall
12 distribute only 75 percent of the acquisition funds to which a
13 budget entity or water management district would otherwise be
14 entitled from the Preservation 2000 Trust Fund to any budget
15 entity or any water management district that has more than
16 one-third of its management plans overdue.

17 2. The requirements of subparagraph 1. do not apply to
18 the individual management plan for the Babcock Crescent B
19 Ranch being acquired pursuant to s. 259.1052. The management
20 plan for the ranch shall be adopted and in place no later than
21 2 years following the date of acquisition by the state.

22 (11)

23 (b) An amount up to 1.5 percent of the cumulative
24 total of funds ever deposited into the Florida Preservation
25 2000 Trust Fund and the Florida Forever Trust Fund shall be
26 made available for the purposes of management, maintenance,
27 and capital improvements not eligible for funding pursuant to
28 s. 11(e), Art. VII of the State Constitution, and for
29 associated contractual services, for lands acquired pursuant
30 to this section, s. 259.101, s. 259.105, s. 259.1052, or
31 previous programs for the acquisition of lands for

1 | conservation and recreation, including state forests, to which
2 | title is vested in the board of trustees and other
3 | conservation and recreation lands managed by a state agency.
4 | Of this amount, \$250,000 shall be transferred annually to the
5 | Plant Industry Trust Fund within the Department of Agriculture
6 | and Consumer Services for the purpose of implementing the
7 | Endangered or Threatened Native Flora Conservation Grants
8 | Program pursuant to s. 581.185(11). Each agency with
9 | management responsibilities shall annually request from the
10 | Legislature funds sufficient to fulfill such responsibilities.
11 | For the purposes of this paragraph, capital improvements shall
12 | include, but need not be limited to, perimeter fencing, signs,
13 | firelanes, access roads and trails, and minimal public
14 | accommodations, such as primitive campsites, garbage
15 | receptacles, and toilets. Any equipment purchased with funds
16 | provided pursuant to this paragraph may be used for the
17 | purposes described in this paragraph on any conservation and
18 | recreation lands managed by a state agency.

19 | Section 4. Subsections (1) and (2) of section
20 | 259.1051, Florida Statutes, are amended to read:

21 | 259.1051 Florida Forever Trust Fund.--

22 | (1) There is created the Florida Forever Trust Fund to
23 | carry out the purposes of ss. 259.032, 259.105, 259.1052, and
24 | 375.031. The Florida Forever Trust Fund shall be held and
25 | administered by the Department of Environmental Protection.
26 | Proceeds from the sale of bonds, except proceeds of refunding
27 | bonds, issued under s. 215.618 and payable from moneys
28 | transferred to the Land Acquisition Trust Fund under s.
29 | 201.15(1)(a), not to exceed \$3 billion, must be deposited into
30 | this trust fund to be distributed and used as provided in s.
31 | 259.105(3). The bond resolution adopted by the governing board

1 of the Division of Bond Finance of the State Board of
2 Administration may provide for additional provisions that
3 govern the disbursement of the bond proceeds.

4 (2) The Department of Environmental Protection shall
5 distribute revenues from the Florida Forever Trust Fund only
6 to programs of state agencies or local governments as set out
7 in s. 259.105(3) or as provided in s. 259.1052. Excluding
8 distributions to the Save Our Everglades Trust Fund and
9 distributions for the acquisition of the Babcock Crescent B
10 Ranch Florida Forever acquisition as provided in s. 259.1052,
11 the distributions shall be spent by the recipient within 90
12 days after the date on which the Department of Environmental
13 Protection initiates the transfer.

14 Section 5. Section 259.1052, Florida Statutes, is
15 created to read:

16 259.1052 Babcock Crescent B Ranch Florida Forever
17 acquisition; conditions for purchase.--

18 (1) The purchase of the state's portion of the Babcock
19 Crescent B Ranch by the Board of Trustees of the Internal
20 Improvement Trust Fund is a conservation acquisition under the
21 Florida Forever program created in s. 259.105.

22 (2) The Babcock Crescent B Ranch constitutes a unique
23 land mass that has significant scientific, cultural,
24 historical, recreational, ecological, wildlife, fisheries, and
25 productive values. The property is part of a potential
26 greenway of undeveloped land extending from Lake Okeechobee to
27 the east and Charlotte Harbor to the west. The natural beauty
28 and abundant resources of the ranch provide numerous public
29 recreational opportunities such as hiking, fishing, camping,
30 horseback riding, and hunting.

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

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

15 (5) The Legislature encourages the use of documentary
16 stamp tax revenues under s. 201.15 for the purchase of the
17 state's portion of the Babcock Crescent B Ranch so that the
18 purchase may be completed in one transaction, closing on or
19 before July 31, 2006.

20 (6) The Fish and Wildlife Conservation Commission and
21 the Department of Agriculture and Consumer Services shall be
22 the lead managing agencies responsible for the management of
23 Babcock Crescent B Ranch.

24 (7) In addition to distributions authorized under s.
25 259.105(3), the Department of Environmental Protection is
26 authorized to distribute \$310 million in revenues from the
27 Florida Forever Trust Fund. This distribution shall be made in
28 one payment and shall represent payment in full for the
29 portion of the Babcock Crescent B Ranch to be acquired by the
30 state under this section.

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1 (8) As used in this section, the term "state's portion
2 of the Babcock Crescent B Ranch" comprises that portion of
3 property described in Exhibit "A" attached to the Agreement
4 for Sale and Purchase executed by the Board of Trustees of the
5 Internal Improvement Fund, the Fish and Wildlife Conservation
6 Commission, the Department of Agriculture and Consumer
7 Services, and the participating local government, as
8 purchasers, and MSKP III, Inc., a Florida corporation, as
9 seller, which shall be conveyed by special warranty deed to
10 the Board of Trustees of the Internal Improvement Trust Fund
11 on or before July 31, 2006, and recorded in the public records
12 of Charlotte County.

13 Section 6. Section 259.10521, Florida Statutes, is
14 created to read:

15 259.10521 Babcock Ranch citizen support organization;
16 use of property; audit.--

17 (1) DEFINITIONS.--For the purpose of this section, the
18 "Babcock Ranch citizen support organization" means an
19 organization that is:

20 (a) A Florida corporation not for profit incorporated
21 under the provisions of chapter 617 and approved by the
22 Department of State;

23 (b) Organized and operated to conduct programs and
24 activities; raise funds; request and receive grants, gifts,
25 and bequests of money; acquire, receive, hold, invest, and
26 administer, in its own name, securities, funds, objects of
27 value, or other property, real or personal; and make
28 expenditures to or for the direct or indirect benefit of the
29 Babcock Crescent B Ranch;

30 (c) Determined by the Fish and Wildlife Conservation
31 Commission and the Division of Forestry within the Department

1 of Agriculture and Consumer Services to be consistent with the
2 goals of the state park system and in the best interests of
3 the state; and

4 (d) Approved in writing by the Fish and Wildlife
5 Conservation Commission and the Division of Forestry to
6 operate for the direct or indirect benefit of the ranch. Such
7 approval shall be given in a letter of agreement from the Fish
8 and Wildlife Conservation Commission and the Division of
9 Forestry.

10 (2) USE OF PROPERTY.--

11 (a) The Fish and Wildlife Conservation Commission and
12 the Division of Forestry may permit, without charge,
13 appropriate use of fixed property and facilities of the
14 Babcock Crescent B Ranch by a citizen support organization,
15 subject to the provisions of this section. Such use must be
16 directly in keeping with the approved purposes of the citizen
17 support organization, and may not be made at times or places
18 that would unreasonably interfere with recreational
19 opportunities for the general public.

20 (b) The Fish and Wildlife Conservation Commission and
21 the Division of Forestry may prescribe by rule any condition
22 with which the citizen support organization shall comply in
23 order to use fixed property or facilities of the ranch.

24 (c) The Fish and Wildlife Conservation Commission and
25 the Division of Forestry shall not permit the use of any fixed
26 property or facilities of the ranch by a citizen support
27 organization that does not provide equal membership and
28 employment opportunities to all persons regardless of race,
29 color, religion, sex, age, or national origin.

30 (3) PARTNERSHIPS.--
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1 (a) The Legislature recognizes that the Babcock
2 Crescent B Ranch will need a variety of facilities to enhance
3 its public use and potential. Such facilities include, but are
4 not limited to, improved access, camping areas, picnic
5 shelters, management facilities, and environmental education
6 facilities. The need for such facilities may exceed the
7 ability of the state to provide such facilities in a timely
8 manner with moneys available. The Legislature finds it to be
9 in the public interest to provide incentives for partnerships
10 with private organizations with the intent of producing
11 additional revenue to help enhance the use and potential of
12 the ranch.

13 (b) The Legislature may annually appropriate funds
14 from the Land Acquisition Trust Fund for use only as state
15 matching funds, in conjunction with private donations in
16 aggregates of at least \$60,000, matched by \$40,000 of state
17 funds, for a total minimum project amount of \$100,000 for
18 capital improvement facility development at the ranch at
19 either individually designated locations or for priority
20 projects within the overall ranch system. The Babcock Ranch
21 citizen support organization may acquire private donations
22 pursuant to this section, and matching state funds for
23 approved projects may be provided in accordance with this
24 subsection. The Fish and Wildlife Conservation Commission and
25 the Division of Forestry are authorized to properly recognize
26 and honor a private donor by placing a plaque or other
27 appropriate designation noting the contribution on project
28 facilities or by naming project facilities after the person or
29 organization that provided matching funds. The Fish and
30 Wildlife Conservation Commission and the Division of Forestry
31

1 are authorized to adopt necessary administrative rules to
2 carry out the purposes of this subsection.

3 Section 7. Except as otherwise expressly provided in
4 this act, this act shall take effect upon becoming a law.

5

6 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
7 COMMITTEE SUBSTITUTE FOR
8 Senate Bill 1226

8

9 This committee substitute deletes all provisions in the
10 original bill authorizing bonds to be issued for the purchase
11 of the Babcock Ranch, expands the purposes for which funds in
12 the Florida Forever Trust Fund can be used to include the
13 purchase of the ranch, and authorizes the Department of
14 Environmental Protection to distribute \$310 million in one
15 payment for the full purchase of the ranch. The committee
16 substitute also authorizes the creation of a citizen support
17 organization, designates the Fish and Wildlife Conservation
18 Commission and the Department of Agriculture and Consumer
19 Services as the lead managing agencies, and provides for the
20 development of an individual management plan over a 2 year
21 period.

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