



1           and responsibilities; providing an  
2           appropriation; providing effective dates.

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

5  
6           Section 1. Paragraph (b) of subsection (1) and  
7 subsection (13) of section 201.15, Florida Statutes, are  
8 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           (b) Moneys ~~The remainder of the moneys distributed~~  
20 ~~under this subsection, after the required payment under~~  
21 ~~paragraph (a),~~ shall be paid into the State Treasury to the  
22 credit of the Save Our Everglades Trust Fund in amounts  
23 necessary to pay debt service, provide reserves, and pay  
24 rebate obligations and other amounts due with respect to bonds  
25 issued under s. 215.619. Taxes distributed under paragraph (a)  
26 and this paragraph must be collectively distributed on a pro  
27 rata basis.

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

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

10 Section 2. Effective July 1, 2007, paragraph (b) of  
11 subsection (1) and subsection (13) of section 201.15, Florida  
12 Statutes, as amended by section 1 of chapter 2005-92, Laws of  
13 Florida, are amended to read:

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

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

24 (b) Moneys ~~The remainder of the moneys distributed~~  
25 ~~under this subsection, after the required payment under~~  
26 ~~paragraph (a),~~ shall be paid into the State Treasury to the  
27 credit of the Save Our Everglades Trust Fund in amounts  
28 necessary to pay debt service, provide reserves, and pay  
29 rebate obligations and other amounts due with respect to bonds  
30 issued under s. 215.619. Taxes distributed under paragraph (a)  
31

1 and this paragraph must be collectively distributed on a pro  
2 rata basis.

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

16 Section 3. Subsection (3) of section 215.619, Florida  
17 Statutes, is amended to read:

18 215.619 Bonds for Everglades restoration.--

19 (3) Everglades restoration bonds are payable from, and  
20 secured by a first lien on, taxes distributable under s.  
21 201.15(1)(b) and do not constitute a general obligation of, or  
22 a pledge of the full faith and credit of, the state.  
23 Everglades restoration bonds shall be secured on a parity  
24 basis with ~~are junior and subordinate to~~ bonds secured by  
25 moneys distributable under s. 201.15(1)(a).

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

30 259.032 Conservation and Recreation Lands Trust Fund;  
31 purpose.--

1           (2)

2           (b) There shall annually be transferred from the

3 Conservation and Recreation Lands Trust Fund to the Land

4 Acquisition Trust Fund that amount, not to exceed \$20 million

5 annually, as shall be necessary to pay the debt service on, or

6 fund debt service reserve funds, rebate obligations, or other

7 amounts with respect to bonds issued pursuant to s. 375.051 to

8 acquire lands on the established priority list developed

9 pursuant to ss. 259.101(4) and 259.105 ~~this section~~; however,

10 no moneys transferred to the Land Acquisition Trust Fund

11 pursuant to this paragraph, or earnings thereon, shall be used

12 or made available to pay debt service on the Save Our Coast

13 revenue bonds. Amounts transferred annually from the

14 Conservation and Recreation Lands Trust Fund to the Land

15 Acquisition Trust Fund pursuant to this paragraph shall have

16 the highest priority over other payments or transfers from the

17 Conservation and Recreation Lands Trust Fund, and no other

18 payments or transfers shall be made from the Conservation and

19 Recreation Lands Trust Fund until such transfers to the Land

20 Acquisition Trust Fund have been made. ~~Effective July 1, 2001,~~

21 Moneys in the Conservation and Recreation Lands Trust Fund

22 also shall be used to manage lands and to pay for related

23 costs, activities, and functions pursuant to the provisions of

24 this section.

25           (9) All lands managed under this chapter and s.

26 253.034 shall be:

27           (e) Concurrent with the approval of the acquisition

28 contract pursuant to s. 259.041(3)(c) for any interest in

29 lands except those lands being acquired under the provisions

30 of s. 259.1052, the board of trustees shall designate an

31 agency or agencies to manage such lands. The board ~~and~~ shall

1 evaluate and amend, as appropriate, the management policy  
2 statement for the project as provided by s. 259.035,  
3 consistent with the purposes for which the lands are acquired.  
4 For any fee simple acquisition of a parcel which is or will be  
5 leased back for agricultural purposes, or any acquisition of a  
6 less-than-fee interest in land that is or will be used for  
7 agricultural purposes, the Board of Trustees of the Internal  
8 Improvement Trust Fund shall first consider having a soil and  
9 water conservation district, created pursuant to chapter 582,  
10 manage and monitor such interests.

11 (f) State agencies designated to manage lands acquired  
12 under this chapter except those lands acquired under s.  
13 259.1052 may contract with local governments and soil and  
14 water conservation districts to assist in management  
15 activities, including the responsibility of being the lead  
16 land manager. Such land management contracts may include a  
17 provision for the transfer of management funding to the local  
18 government or soil and water conservation district from the  
19 Conservation and Recreation Lands Trust Fund in an amount  
20 adequate for the local government or soil and water  
21 conservation district to perform its contractual land  
22 management responsibilities and proportionate to its  
23 responsibilities, and which otherwise would have been expended  
24 by the state agency to manage the property.

25 (10)

26 (d)1. For each project for which lands are acquired  
27 after July 1, 1995, an individual management plan shall be  
28 adopted and in place no later than 1 year after the essential  
29 parcel or parcels identified in the priority list developed  
30 pursuant to ss. 259.101(4) and 259.105 ~~in the annual~~  
31 ~~Conservation and Recreation Lands report prepared pursuant to~~

1 ~~s. 259.035(2)(a)~~ have been acquired. ~~Beginning in fiscal year~~  
2 ~~1998-1999~~, The Department of Environmental Protection shall  
3 distribute only 75 percent of the acquisition funds to which a  
4 budget entity or water management district would otherwise be  
5 entitled from the Preservation 2000 Trust Fund to any budget  
6 entity or any water management district that has more than  
7 one-third of its management plans overdue.

8 2. The requirements of subparagraph 1. do not apply to  
9 the individual management plan for the Babcock Crescent B  
10 Ranch being acquired pursuant to s. 259.1052. The management  
11 plan for the ranch shall be adopted and in place no later than  
12 2 years following the date of acquisition by the state.

13 (11)

14 (b) An amount up to 1.5 percent of the cumulative  
15 total of funds ever deposited into the Florida Preservation  
16 2000 Trust Fund and the Florida Forever Trust Fund shall be  
17 made available for the purposes of management, maintenance,  
18 and capital improvements not eligible for funding pursuant to  
19 s. 11(e), Art. VII of the State Constitution, and for  
20 associated contractual services, for lands acquired pursuant  
21 to this section, s. 259.101, s. 259.105, s. 259.1052, or  
22 previous programs for the acquisition of lands for  
23 conservation and recreation, including state forests, to which  
24 title is vested in the board of trustees and other  
25 conservation and recreation lands managed by a state agency.  
26 Of this amount, \$250,000 shall be transferred annually to the  
27 Plant Industry Trust Fund within the Department of Agriculture  
28 and Consumer Services for the purpose of implementing the  
29 Endangered or Threatened Native Flora Conservation Grants  
30 Program pursuant to s. 581.185(11). Each agency with  
31 management responsibilities shall annually request from the

1 | Legislature funds sufficient to fulfill such responsibilities.  
2 | For the purposes of this paragraph, capital improvements shall  
3 | include, but need not be limited to, perimeter fencing, signs,  
4 | firelanes, access roads and trails, and minimal public  
5 | accommodations, such as primitive campsites, garbage  
6 | receptacles, and toilets. Any equipment purchased with funds  
7 | provided pursuant to this paragraph may be used for the  
8 | purposes described in this paragraph on any conservation and  
9 | recreation lands managed by a state agency.

10 |         Section 5. Subsections (1) and (2) of section  
11 | 259.1051, Florida Statutes, are amended to read:

12 |             259.1051 Florida Forever Trust Fund.--

13 |             (1) There is created the Florida Forever Trust Fund to  
14 | carry out the purposes of ss. 259.032, 259.105, 259.1052, and  
15 | 375.031. The Florida Forever Trust Fund shall be held and  
16 | administered by the Department of Environmental Protection.  
17 | Proceeds from the sale of bonds, except proceeds of refunding  
18 | bonds, issued under s. 215.618 and payable from moneys  
19 | transferred to the Land Acquisition Trust Fund under s.  
20 | 201.15(1)(a), not to exceed \$3 billion, must be deposited into  
21 | this trust fund to be distributed and used as provided in s.  
22 | 259.105(3). The bond resolution adopted by the governing board  
23 | of the Division of Bond Finance of the State Board of  
24 | Administration may provide for additional provisions that  
25 | govern the disbursement of the bond proceeds.

26 |             (2) The Department of Environmental Protection shall  
27 | distribute revenues from the Florida Forever Trust Fund only  
28 | to programs of state agencies or local governments as set out  
29 | in s. 259.105(3) or as provided in s. 259.1052. Excluding  
30 | distributions to the Save Our Everglades Trust Fund and  
31 | distributions for the acquisition of the Babcock Crescent B



1 Ranch Florida Forever acquisition as provided in s. 259.1052,  
2 the distributions shall be spent by the recipient within 90  
3 days after the date on which the Department of Environmental  
4 Protection initiates the transfer.

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

7 259.1052 Babcock Crescent B Ranch Florida Forever  
8 acquisition; conditions for purchase.--

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

13 (2) The Babcock Crescent B Ranch constitutes a unique  
14 land mass that has significant scientific, cultural,  
15 historical, recreational, ecological, wildlife, fisheries, and  
16 productive values. The property is part of a potential  
17 greenway of undeveloped land extending from Lake Okeechobee to  
18 the east and Charlotte Harbor to the west. The natural beauty  
19 and abundant resources of the ranch provide numerous public  
20 recreational opportunities such as hiking, fishing, camping,  
21 horseback riding, and hunting.

22 (3) The Legislature recognizes that the acquisition of  
23 the state's portion of the Babcock Crescent B Ranch represents  
24 a unique opportunity to assist in preserving the largest  
25 private and undeveloped single-ownership tract of land in  
26 Charlotte County. The Legislature further recognizes Lee  
27 County as a partner in the acquisition of the ranch.

28 (4) This section authorizes the acquisition of the  
29 state's portion of the Babcock Crescent B Ranch in order to  
30 protect and preserve for future generations the scientific,  
31 scenic, historic, and natural values of the ranch, including

1 rivers and ecosystems; to protect and preserve the  
2 archaeological, geological, and cultural resources of the  
3 ranch; to provide for species recovery; and to provide  
4 opportunities for public recreation.

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

9 (6) In addition to distributions authorized under s.  
10 259.105(3), the Department of Environmental Protection is  
11 authorized to distribute \$310 million in revenues from the  
12 Florida Forever Trust Fund. This distribution shall represent  
13 payment in full for the portion of the Babcock Crescent B  
14 Ranch to be acquired by the state under this section.

15 (7) As used in this section, the term "state's portion  
16 of the Babcock Crescent B Ranch" comprises those lands to be  
17 conveyed by special warranty deed to the Board of Trustees of  
18 the Internal Improvement Trust Fund under the provisions of  
19 the agreement for sale and purchase executed by the Board of  
20 Trustees of the Internal Improvement Trust Fund, the Fish and  
21 Wildlife Conservation Commission, the Department of  
22 Agriculture and Consumer Services, and the participating local  
23 government, as purchaser, and MSKP, III, a Florida  
24 corporation, as seller.

25 Section 7. Section 259.10521, Florida Statutes, is  
26 created to read:

27 259.10521 Citizen support organization; use of  
28 property; audit.--

29 (1) DEFINITIONS.--For the purpose of this section, the  
30 "Citizen support organization" means an organization that is:  
31

1           (a) A Florida corporation not for profit incorporated  
2 under the provisions of chapter 617 and approved by the  
3 Department of State;

4           (b) Organized and operated to conduct programs and  
5 activities in the best interest of the state; raise funds;  
6 request and receive grants, gifts, and bequests of money;  
7 acquire, receive, hold, invest, and administer, in its own  
8 name, securities, funds, objects of value, or other property,  
9 real or personal; and make expenditures to or for the direct  
10 or indirect benefit of the Babcock Crescent B Ranch;

11           (c) Determined by the Fish and Wildlife Conservation  
12 Commission and the Division of Forestry within the Department  
13 of Agriculture and Consumer Services to be consistent with the  
14 goals of the state in acquiring the ranch and in the best  
15 interests of the state; and

16           (d) Approved in writing by the Fish and Wildlife  
17 Conservation Commission and the Division of Forestry to  
18 operate for the direct or indirect benefit of the ranch and in  
19 the best interest of the state. Such approval shall be given  
20 in a letter of agreement from the Fish and Wildlife  
21 Conservation Commission and the Division of Forestry. Only one  
22 citizen support organization may be created to operate for the  
23 direct or indirect benefit of the Babcock Crescent B Ranch.

24           (2) USE OF PROPERTY.--

25           (a) The Fish and Wildlife Conservation Commission and  
26 the Division of Forestry may permit, without charge,  
27 appropriate use of fixed property and facilities of the  
28 Babcock Crescent B Ranch by a citizen support organization,  
29 subject to the provisions of this section. Such use must be  
30 directly in keeping with the approved purposes of the citizen  
31 support organization, and may not be made at times or places

1 that would unreasonably interfere with recreational  
2 opportunities for the general public.

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

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

13 (3) PARTNERSHIPS.--

14 (a) The Legislature recognizes that the Babcock  
15 Crescent B Ranch will need a variety of facilities to enhance  
16 its public use and potential. Such facilities include, but are  
17 not limited to, improved access, camping areas, picnic  
18 shelters, management facilities, and environmental education  
19 facilities. The need for such facilities may exceed the  
20 ability of the state to provide such facilities in a timely  
21 manner with moneys available. The Legislature finds it to be  
22 in the public interest to provide incentives for partnerships  
23 with private organizations with the intent of producing  
24 additional revenue to help enhance the use and potential of  
25 the ranch.

26 (b) The Legislature may annually appropriate funds  
27 from the Land Acquisition Trust Fund for use only as state  
28 matching funds, in conjunction with private donations in  
29 aggregates of at least \$60,000, matched by \$40,000 of state  
30 funds, for a total minimum project amount of \$100,000 for  
31 capital improvement facility development at the ranch at

1 either individually designated locations or for priority  
2 projects within the overall ranch system. The citizen support  
3 organization may acquire private donations pursuant to this  
4 section, and matching state funds for approved projects may be  
5 provided in accordance with this subsection. The Fish and  
6 Wildlife Conservation Commission and the Division of Forestry  
7 are authorized to properly recognize and honor a private donor  
8 by placing a plaque or other appropriate designation noting  
9 the contribution on project facilities or by naming project  
10 facilities after the person or organization that provided  
11 matching funds. The Fish and Wildlife Conservation Commission  
12 and the Division of Forestry are authorized to adopt necessary  
13 administrative rules to carry out the purposes of this  
14 subsection.

15       Section 8. For the 2006-2007 fiscal year, the sum of  
16 \$310 million in nonrecurring funds is appropriated from the  
17 Florida Forever Trust Fund in the Department of Environmental  
18 Protection for the purchase of the Babcock Crescent B Ranch as  
19 provided in s. 259.1052, Florida Statutes.

20       Section 9. Except as otherwise expressly provided in  
21 this act, this act shall take effect upon becoming a law.

22  
23                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
24                   COMMITTEE SUBSTITUTE FOR  
25                   CS for SB 1226

26 Provides the appropriation for the state to purchase the  
27 Babcock Crescent B Ranch.

28 Makes technical revisions to the citizen support organization  
29 authorized in the bill.

30 Authorizes Everglades bonds to be on parity with Florida  
31 Forever bonds.