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CHAMBER ACTION

Senate

House

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4/16/2008 2:42 PM

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1 Senator Saunders moved the following **amendment**:

2  
3 **Senate Amendment**

4 Delete line(s) 1332-1426

5 and insert:

6 259.035 Acquisition and Restoration Council.--

7 (1) There is created the Acquisition and Restoration  
8 Council.

9 (a) The council shall be composed of eleven ~~nine~~ voting  
10 members, four of whom shall be appointed by the Governor. Of  
11 these four appointees, three shall be from scientific disciplines  
12 related to land, water, or environmental sciences and the fourth  
13 shall have at least 5 years of experience in managing lands for  
14 both active and passive types of recreation. They shall serve 4-  
15 year terms, except that, initially, to provide for staggered  
16 terms, two of the appointees shall serve 2-year terms. All  
17 subsequent appointments shall be for 4-year terms. No appointee



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18 shall serve more than 6 years. The Governor may at any time fill  
19 a vacancy for the unexpired term of a member appointed under this  
20 paragraph.

21 (b) The five remaining appointees shall be composed of the  
22 Secretary of Environmental Protection, the director of the  
23 Division of Forestry of the Department of Agriculture and  
24 Consumer Services, the executive director of the Fish and  
25 Wildlife Conservation Commission, the director of the Division of  
26 Historical Resources of the Department of State, and the  
27 secretary of the Department of Community Affairs, or their  
28 respective designees.

29 (c) One member shall be appointed by the Commissioner of  
30 Agriculture with a discipline related to agriculture including  
31 silviculture. One member shall be appointed by the Fish and  
32 Wildlife Conservation Commission with a discipline related to  
33 wildlife management or wildlife ecology.

34 (d)~~(e)~~ The Governor shall appoint the chair of the council,  
35 and a vice chair shall be elected from among the members.

36 (e)~~(d)~~ The council shall hold periodic meetings at the  
37 request of the chair.

38 (f)~~(e)~~ The Department of Environmental Protection shall  
39 provide primary staff support to the council and shall ensure  
40 that council meetings are electronically recorded. Such recording  
41 shall be preserved pursuant to chapters 119 and 257.

42 (g)~~(f)~~ The board of trustees has authority to adopt rules  
43 pursuant to ss. 120.536(1) and 120.54 to implement the provisions  
44 of this section.

45 (2) The four members of the council appointed pursuant to  
46 paragraph (a) and the two members of the council appointed  
47 pursuant to paragraph (c) ~~by the Governor~~ shall receive



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48 reimbursement for \$75 per day while engaged in the business of  
49 the council, as well as expenses and per diem for travel, to  
50 attend council including attendance at meetings, as allowed state  
51 officers and employees while in the performance of their duties,  
52 pursuant to s. 112.061.

53 (3) The council shall provide assistance to the board of  
54 trustees in reviewing the recommendations and plans for state-  
55 owned lands required under ss. 253.034 and 259.032. The council  
56 shall, in reviewing such recommendations and plans, consider the  
57 optimization of multiple-use and conservation strategies to  
58 accomplish the provisions funded pursuant to ss. 259.101(3)(a)  
59 and 259.105(3)(b).

60 (4)(a) The council may use existing rules adopted by the  
61 board of trustees, until it develops and recommends amendments to  
62 those rules, to competitively evaluate, select, and rank projects  
63 eligible for the Conservation and Recreation Lands list pursuant  
64 to ss. 259.032(3) and 259.101(4) ~~and, beginning no later than May~~  
65 ~~1, 2001, for Florida Forever funds pursuant to s. 259.105(3)(b).~~

66 (b) By December 1, 2009, the Acquisition and Restoration  
67 Council shall develop rules defining specific criteria and  
68 numeric performance measures needed for lands that are to be  
69 acquired for public purpose under the Florida Forever program  
70 pursuant to s. 259.105. Each recipient of Florida Forever funds  
71 shall assist the council in the development of such rules. These  
72 rules shall be reviewed and adopted by the board then submitted  
73 to the Legislature for consideration by February 1, 2010. The  
74 Legislature may reject, modify, or take no action relative to the  
75 proposed rules. If no action is taken, the rules shall be  
76 implemented. Subsequent to their approval, each recipient of  
77 Florida Forever funds shall annually report to the Division of



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78 | State Lands on each of the numeric performance measures  
79 | accomplished during the previous fiscal year.

80 |       (c) In developing or amending ~~the~~ rules, the council shall  
81 | give weight to the criteria included in s. 259.105(10). The board  
82 | of trustees shall review the recommendations and shall adopt  
83 | rules necessary to administer this section.

84 |       (5) An affirmative vote of five members of the council is  
85 | required in order to change a project boundary or to place a  
86 | proposed project on a list developed pursuant to subsection (4).  
87 | Any member of the council who by family or a business  
88 | relationship has a connection with all or a portion of any  
89 | proposed project shall declare the interest before voting on its  
90 | inclusion on a list.

91 |       (6) The proposal for a project pursuant to this section or  
92 | s. 259.105(3)(b) may be implemented only if adopted by the  
93 | council and approved by the board of trustees. The council shall  
94 | consider and evaluate in writing the merits and demerits of each  
95 | project that is proposed for Conservation and Recreation Lands,  
96 | Florida Preservation 2000, or Florida Forever funding and shall  
97 | ensure that each proposed project will meet a stated public  
98 | purpose for the restoration, conservation, or preservation of  
99 | environmentally sensitive lands and water areas or for providing  
100 | outdoor recreational opportunities. The council also shall  
101 | determine whether the project conforms, where applicable, with  
102 | the comprehensive plan developed pursuant to s. 259.04(1)(a), the  
103 | comprehensive multipurpose outdoor recreation plan developed  
104 | pursuant to s. 375.021, the state lands management plan adopted  
105 | pursuant to s. 253.03(7), the water resources work plans  
106 | developed pursuant to s. 373.199, and the provisions of s.  
107 | 259.032, s. 259.101, or s. 259.105, whichever is applicable.