



710146

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: WD	.	
4/3/2008	.	
	.	
	.	

1 The Committee on Environmental Preservation and Conservation
 2 (Saunders) recommended the following **amendment**:

3
 4 **Senate Amendment (with title amendment)**

5 Delete everything after the enacting clause
 6 and insert:

7 Section 1. Paragraph (a) of subsection (1) of section
 8 201.15, Florida Statutes, is amended to read:

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



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

19 (a) Amounts as shall be necessary to pay the debt service
20 on, or fund debt service reserve funds, rebate obligations, or
21 other amounts payable with respect to Preservation 2000 bonds
22 issued pursuant to s. 375.051 and Florida Forever bonds issued
23 pursuant to s. 215.618, shall be paid into the State Treasury to
24 the credit of the Land Acquisition Trust Fund to be used for such
25 purposes. The amount transferred to the Land Acquisition Trust
26 Fund shall not exceed \$300 million in fiscal year 1999-2000 and
27 thereafter for Preservation 2000 bonds and bonds issued to refund
28 Preservation 2000 bonds, and \$300 million in fiscal year 2000-
29 2001 and thereafter for Florida Forever bonds. The annual amount
30 transferred to the Land Acquisition Trust Fund for Florida
31 Forever bonds shall not exceed \$30 million in the first fiscal
32 year in which bonds are issued. The limitation on the amount
33 transferred shall be increased by an additional \$30 million in
34 each subsequent fiscal year, but shall not exceed a total of \$300
35 million in any fiscal year for all bonds issued. It is the intent
36 of the Legislature that all bonds issued to fund the Florida
37 Forever Act be retired by December 31, 2040 ~~2030~~. Except for
38 bonds issued to refund previously issued bonds, no series of
39 bonds may be issued pursuant to this paragraph unless such bonds
40 are approved and the debt service for the remainder of the fiscal
41 year in which the bonds are issued is specifically appropriated
42 in the General Appropriations Act. For purposes of refunding
43 Preservation 2000 bonds, amounts designated within this section
44 for Preservation 2000 and Florida Forever bonds may be
45 transferred between the two programs to the extent provided for

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46 | in the documents authorizing the issuance of the bonds. The
47 | Preservation 2000 bonds and Florida Forever bonds shall be
48 | equally and ratably secured by moneys distributable to the Land
49 | Acquisition Trust Fund pursuant to this section, except to the
50 | extent specifically provided otherwise by the documents
51 | authorizing the issuance of the bonds. No moneys transferred to
52 | the Land Acquisition Trust Fund pursuant to this paragraph, or
53 | earnings thereon, shall be used or made available to pay debt
54 | service on the Save Our Coast revenue bonds.

55 | Section 2. Subsection (1) of section 215.618, Florida
56 | Statutes, is amended to read:

57 | 215.618 Bonds for acquisition and improvement of land,
58 | water areas, and related property interests and resources.--

59 | (1) (a) The issuance of Florida Forever bonds, not to exceed
60 | \$5.3 ~~\$3~~ billion, to finance or refinance the cost of acquisition
61 | and improvement of land, water areas, and related property
62 | interests and resources, in urban and rural settings, for the
63 | purposes of restoration, conservation, recreation, water resource
64 | development, or historical preservation, and for capital
65 | improvements to lands and water areas that accomplish
66 | environmental restoration, enhance public access and recreational
67 | enjoyment, promote long-term management goals, and facilitate
68 | water resource development is hereby authorized, subject to the
69 | provisions of s. 259.105 and pursuant to s. 11(e), Art. VII of
70 | the State Constitution. Florida Forever bonds may also be issued
71 | to refund Preservation 2000 bonds issued pursuant to s. 375.051.
72 | The \$5.3 ~~\$3~~ billion limitation on the issuance of Florida Forever
73 | bonds does not apply to refunding bonds. The duration of each
74 | series of Florida Forever bonds issued may not exceed 20 annual
75 | maturities. Preservation 2000 bonds and Florida Forever bonds

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76 shall be equally and ratably secured by moneys distributable to
77 the Land Acquisition Trust Fund pursuant to s. 201.15(1)(a),
78 except to the extent specifically provided otherwise by the
79 documents authorizing the issuance of the bonds.

80 (b) Beginning July 1, 2010, the Legislature shall analyze
81 the state's debt ratio in relation to projected revenues prior to
82 the authorization of any bonds for land acquisition.

83 (c) By February 1, 2010, the Legislature shall complete an
84 analysis of potential revenue sources for Florida Forever.

85 Section 3. Subsection (6) of section 253.025, Florida
86 Statutes, is amended to read:

87 253.025 Acquisition of state lands for purposes other than
88 preservation, conservation, and recreation.--

89 (6) Prior to negotiations with the parcel owner to purchase
90 land pursuant to this section, title to which will vest in the
91 board of trustees, an appraisal of the parcel shall be required
92 as follows:

93 (a) Each parcel to be acquired shall have at least one
94 appraisal. Two appraisals are required when the estimated value
95 of the parcel exceeds \$1 million. When a parcel is estimated to
96 be worth \$100,000 or less and the director of the Division of
97 State Lands finds that the cost of an outside appraisal is not
98 justified, a comparable sales analysis or other reasonably
99 prudent procedures may be used by the division to estimate the
100 value of the parcel, provided the public's interest is reasonably
101 protected. The state is not required to appraise the value of
102 lands and appurtenances that are being donated to the state.

103 (b) Appraisal fees shall be paid by the agency proposing
104 the acquisition. The board of trustees shall approve qualified
105 fee appraisal organizations. All appraisals used for the

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106 acquisition of lands pursuant to this section shall be prepared
107 by a member of an approved appraisal organization or by a state-
108 certified appraiser. The Board of Trustees ~~Division of State~~
109 ~~Lands~~ shall adopt rules for selecting individuals to perform
110 appraisals pursuant to this section. Each fee appraiser selected
111 to appraise a particular parcel shall, prior to contracting with
112 the agency, submit to that agency an affidavit substantiating
113 that he or she has no vested or fiduciary interest in such
114 parcel.

115 (c) The board of trustees shall adopt by rule the minimum
116 criteria, techniques, and methods to be used in the preparation
117 of appraisal reports. Such rules shall incorporate, to the extent
118 practicable, generally accepted appraisal standards. Any
119 appraisal issued for acquisition of lands pursuant to this
120 section must comply with the rules adopted by the board of
121 trustees. A certified survey must be made which meets the minimum
122 requirements for upland parcels established in the Minimum
123 Technical Standards for Land Surveying in Florida published by
124 the Department of Business and Professional Regulation and which
125 accurately portrays, to the greatest extent practicable, the
126 condition of the parcel as it currently exists. The requirement
127 for a certified survey may, in part or in whole, be waived by the
128 board of trustees any time prior to submitting the agreement for
129 purchase to the Division of State Lands. When an existing
130 boundary map and description of a parcel are determined by the
131 division to be sufficient for appraisal purposes, the division
132 director may temporarily waive the requirement for a survey until
133 any time prior to conveyance of title to the parcel. The fee
134 appraiser and the review appraiser for the agency shall not act

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135 in any way that may be construed as negotiating with the property
136 owner.

137 (d) Appraisal reports are confidential and exempt from the
138 provisions of s. 119.07(1), for use by the agency and the board
139 of trustees, until an option contract is executed or, if no
140 option contract is executed, until 2 weeks before a contract or
141 agreement for purchase is considered for approval by the board of
142 trustees. However, the Division of State Lands may disclose
143 appraisal information to public agencies or nonprofit
144 organizations that agree to maintain the confidentiality of the
145 reports or information when joint acquisition of property is
146 contemplated, or when a public agency or nonprofit organization
147 enters into a written agreement with the division to purchase and
148 hold property for subsequent resale to the division. In addition,
149 the division may use, as its own, appraisals obtained by a public
150 agency or nonprofit organization, provided the appraiser is
151 selected from the division's list of appraisers and the appraisal
152 is reviewed and approved by the division. For the purposes of
153 this paragraph, "nonprofit organization" means an organization
154 whose purpose is the preservation of natural resources, and which
155 is exempt from federal income tax under s. 501(c)(3) of the
156 Internal Revenue Code. The agency may release an appraisal report
157 when the passage of time has rendered the conclusions of value in
158 the report invalid.

159 (e) Prior to acceptance of an appraisal, the agency shall
160 submit a copy of such report to the Division of State Lands. The
161 division shall review such report for compliance with the rules
162 of the board of trustees. ~~With respect to proposed purchases in~~
163 ~~excess of \$250,000, this review shall include a general field~~
164 ~~inspection of the subject property by the review appraiser. The~~

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165 ~~review appraiser may reject an appraisal report following a desk~~
166 ~~review, but is prohibited from approving an appraisal report in~~
167 ~~excess of \$250,000 without a field review.~~ Any questions of
168 applicability of laws affecting an appraisal shall be addressed
169 by the legal office of the agency.

170 (f) The appraisal report shall be accompanied by the sales
171 history of the parcel for at least the prior 5 years. Such sales
172 history shall include all parties and considerations with the
173 amount of consideration verified, if possible. If a sales history
174 would not be useful, or its cost prohibitive compared to the
175 value of a parcel, the sales history may be waived by the board
176 ~~of trustees Secretary of Environmental Protection or the director~~
177 ~~of the Division of State Lands.~~ The board of trustees ~~department~~
178 shall adopt a rule specifying guidelines for waiver of a sales
179 history.

180 (g) The board of trustees may consider an appraisal
181 acquired by a seller, or any part thereof, in negotiating to
182 purchase a parcel, but such appraisal may not be used in lieu of
183 an appraisal required by this subsection or to determine the
184 maximum offer allowed by law.

185 Section 4. Section 253.0325, Florida Statutes, is amended
186 to read:

187 253.0325 Modernization of state lands records.--

188 (1) The Department of Environmental Protection shall
189 initiate an ongoing computerized information systems program to
190 modernize its state lands records and documents that relate to
191 all lands that have been acquired by all agencies under the
192 Florida Preservation 2000 act pursuant to s. 259.101 or the
193 Florida Forever Act pursuant to s. 259.105. All recipients of
194 Florida Forever funds shall annually submit its records for lands

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195 acquired for compilation of state lands records by the department
196 ~~which title is vested in the Board of Trustees of the Internal~~
197 ~~Improvement Trust Fund.~~ The program shall include, at a minimum:

198 (a) A document management component to automate the storage
199 and retrieval of information contained in state lands records.

200 (b) A land records management component to organize the
201 records by key elements present in the data.

202 (c) An evaluation component which includes the collection
203 of resource and environmental data.

204 (d) A mapping component to generate and store maps of
205 state-owned parcels using data from the land records management
206 and evaluation components.

207 (2) At all stages of its records modernization program, the
208 department shall seek to ensure information systems compatibility
209 within the department and with other state, local, and regional
210 governmental agencies. The department also shall seek to promote
211 standardization in the collection of information regarding state-
212 owned lands by federal, state, regional, and local agencies.

213 (3) The information collected and stored as a result of the
214 department's modernization of state lands records shall not be
215 considered a final or complete accounting of lands which the
216 state owns or to which the state may claim ownership.

217 Section 5. Subsection (6) is amended and subsection (14) is
218 added of section 253.034, Florida Statutes, to read:

219 253.034 State-owned lands; uses.—

220 (6) The Board of Trustees of the Internal Improvement Trust
221 Fund shall determine which lands, the title to which is vested in
222 the board, may be surplus. For conservation lands, the board
223 shall make a determination that the lands are no longer needed
224 for conservation purposes and may dispose of them by an



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225 affirmative vote of at least three members. In the case of a land
226 exchange involving the disposition of conservation lands, the
227 board must determine by an affirmative vote of at least three
228 members that the exchange will result in a net positive
229 conservation benefit. For all other lands, the board shall make a
230 determination that the lands are no longer needed and may dispose
231 of them by an affirmative vote of at least three members.

232 (a) For the purposes of this subsection, all lands acquired
233 by the state prior to July 1, 1999, using proceeds from the
234 Preservation 2000 bonds, the Conservation and Recreation Lands
235 Trust Fund, the Water Management Lands Trust Fund,
236 Environmentally Endangered Lands Program, and the Save Our Coast
237 Program and titled to the board, which lands are identified as
238 core parcels or within original project boundaries, shall be
239 deemed to have been acquired for conservation purposes.

240 (b) For any lands purchased by the state on or after July
241 1, 1999, a determination shall be made by the board prior to
242 acquisition as to those parcels that shall be designated as
243 having been acquired for conservation purposes. No lands acquired
244 for use by the Department of Corrections, the Department of
245 Management Services for use as state offices, the Department of
246 Transportation, except those specifically managed for
247 conservation or recreation purposes, or the State University
248 System or the Florida Community College System shall be
249 designated as having been purchased for conservation purposes.

250 (c) At least every 10 years, as a component of each land
251 management plan or land use plan and in a form and manner
252 prescribed by rule by the board, each manager shall evaluate and
253 indicate to the board those lands that are not being used for the
254 purpose for which they were originally leased. For conservation

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255 lands, the council shall review and shall recommend to the board
256 whether such lands should be retained in public ownership or
257 disposed of by the board. For nonconservation lands, the division
258 shall review such lands and shall recommend to the board whether
259 such lands should be retained in public ownership or disposed of
260 by the board.

261 (d) Lands owned by the board which are not actively managed
262 by any state agency or for which a land management plan has not
263 been completed pursuant to subsection (5) shall be reviewed by
264 the council or its successor for its recommendation as to whether
265 such lands should be disposed of by the board.

266 (e) Prior to any decision by the board to surplus lands,
267 the Acquisition and Restoration Council shall review and make
268 recommendations to the board concerning the request for
269 surplusings. The council shall determine whether the request for
270 surplusings is compatible with the resource values of and
271 management objectives for such lands.

272 (f)1. In reviewing lands owned by the board, the council
273 shall consider whether such lands would be more appropriately
274 owned or managed by the county or other unit of local government
275 in which the land is located. The council shall recommend to the
276 board whether a sale, lease, or other conveyance to a local
277 government would be in the best interests of the state and local
278 government. The provisions of this paragraph in no way limit the
279 provisions of ss. 253.111 and 253.115. Such lands shall be
280 offered to the state, county, or local government for a period of
281 45 ~~30~~ days. Permittable uses for such surplus lands may include
282 public schools; public libraries; fire or law enforcement
283 substations; governmental, judicial, or recreational centers; and
284 affordable housing meeting the criteria of s. 420.0004(3). County

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285 or local government requests for surplus lands shall be expedited
286 throughout the surplusing process. If the county or local
287 government does not elect to purchase such lands in accordance
288 with s. 253.111, then any surplusing determination involving
289 other governmental agencies shall be made upon the board deciding
290 the best public use of the lands. Surplus properties in which
291 governmental agencies have expressed no interest shall then be
292 available for sale on the private market.

293 2. Notwithstanding subparagraph 1., any parcel of surplus
294 lands less than 3 acres in size which was acquired by the state
295 before 1955 by gift or other conveyance or for \$1 consideration
296 from a fair association incorporated under chapter 616 for the
297 purpose of conducting and operating public fairs or expositions,
298 and concerning which the department has filed by July 1, 2008, a
299 notice of intent to dispose of as surplus lands, shall be offered
300 for reconveyance to such fair association for no consideration;
301 however, the agency that last held the lease from the board for
302 management of such lands may remove from the lands any
303 improvements, fixtures, goods, wares, and merchandise within 180
304 days after the effective date of the reconveyance. This
305 subparagraph expires July 1, 2008.

306 (g) The sale price of lands determined to be surplus
307 pursuant to this subsection and s. 253.82 shall be determined by
308 the division and shall take into consideration an appraisal of
309 the property, or, when the estimated value of the land is less
310 than \$100,000, a comparable sales analysis or a broker's opinion
311 of value. If the appraisal referenced in this paragraph yields a
312 value equal to or greater than \$1 million, the division, in its
313 sole discretion, may require a second appraisal. The individual
314 or entity requesting to purchase the surplus parcel is required

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315 ~~to pay all appraisal costs, and the price paid by the state to~~
316 ~~originally acquire the lands.~~

317 1.a. A written valuation of land determined to be surplus
318 pursuant to this subsection and s. 253.82, and related documents
319 used to form the valuation or which pertain to the valuation, are
320 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of
321 the State Constitution until 2 weeks before the contract or
322 agreement regarding the purchase, exchange, or disposal of the
323 surplus land is first considered for approval by the board.
324 Notwithstanding the exemption provided under this subparagraph,
325 the division may disclose appraisals, valuations, or valuation
326 information regarding surplus land during negotiations for the
327 sale or exchange of the land, during the marketing effort or
328 bidding process associated with the sale, disposal, or exchange
329 of the land to facilitate closure of such effort or process, when
330 the passage of time has made the conclusions of value invalid, or
331 when negotiations or marketing efforts concerning the land are
332 concluded.

333 b. This subparagraph is subject to the Open Government
334 Sunset Review Act of 1995 in accordance with s. 119.15, and shall
335 stand repealed on October 2, 2009, unless reviewed and saved from
336 repeal through reenactment by the Legislature.

337 2. A unit of government that acquires title to lands
338 hereunder for less than appraised value may not sell or transfer
339 title to all or any portion of the lands to any private owner for
340 a period of 10 years. Any unit of government seeking to transfer
341 or sell lands pursuant to this paragraph shall first allow the
342 board of trustees to reacquire such lands for the price at which
343 the board sold such lands.



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344 ~~(h) Where a unit of government acquired land by gift,~~
345 ~~donation, grant, quitclaim deed, or other such conveyance where~~
346 ~~no monetary consideration was exchanged, the price of land sold~~
347 ~~as surplus may be based on one appraisal. In the event that a~~
348 ~~single appraisal yields a value equal to or greater than \$1~~
349 ~~million, a second appraisal is required. The individual or entity~~
350 ~~requesting the surplus shall select and use appraisers from the~~
351 ~~list of approved appraisers maintained by the Division of State~~
352 ~~Lands in accordance with s. 253.025(6)(b). The individual or~~
353 ~~entity requesting the surplus is to incur all costs of the~~
354 ~~appraisals.~~

355 (h)(i) After reviewing the recommendations of the council,
356 the board shall determine whether lands identified for surplus
357 are to be held for other public purposes or whether such lands
358 are no longer needed. The board may require an agency to release
359 its interest in such lands. For an agency that has requested the
360 use of a property that was to be declared as surplus, said agency
361 must have the property under lease within 6 months of the date of
362 expiration of the notice provisions required under this
363 subsection and s. 253.111.

364 (i)(j) Requests for surplus may be made by any public or
365 private entity or person. All requests shall be submitted to the
366 lead managing agency for review and recommendation to the council
367 or its successor. Lead managing agencies shall have 90 days to
368 review such requests and make recommendations. Any surplus
369 requests that have not been acted upon within the 90-day time
370 period shall be immediately scheduled for hearing at the next
371 regularly scheduled meeting of the council or its successor.
372 Requests for surplus pursuant to this paragraph shall not be

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373 required to be offered to local or state governments as provided
374 in paragraph (f).

375 (j)~~(k)~~ Proceeds from any sale of surplus lands pursuant to
376 this subsection shall be deposited into the fund from which such
377 lands were acquired. However, if the fund from which the lands
378 were originally acquired no longer exists, such proceeds shall be
379 deposited into an appropriate account to be used for land
380 management by the lead managing agency assigned the lands prior
381 to the lands being declared surplus. Funds received from the sale
382 of surplus nonconservation lands, or lands that were acquired by
383 gift, by donation, or for no consideration, shall be deposited
384 into the Internal Improvement Trust Fund.

385 (k)~~(l)~~ Notwithstanding the provisions of this subsection,
386 no such disposition of land shall be made if such disposition
387 would have the effect of causing all or any portion of the
388 interest on any revenue bonds issued to lose the exclusion from
389 gross income for federal income tax purposes.

390 (l)~~(m)~~ The sale of filled, formerly submerged land that
391 does not exceed 5 acres in area is not subject to review by the
392 council or its successor.

393 (m)~~(n)~~ The board may adopt rules to implement the
394 provisions of this section, which may include procedures for
395 administering surplus land requests and criteria for when the
396 division may approve requests to surplus nonconservation lands on
397 behalf of the board.

398 (14) (a) All lands acquired under Florida Forever pursuant
399 to s. 259.105 and managed by the Fish and Wildlife Conservation
400 Commission, may be used to protect, manage, or restore habitat
401 for native or imperiled species. The commission shall submit an
402 annual workplan for such uses to the Acquisition and Restoration

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403 Council and the council may, at its discretion, modify the
404 workplan prior to approval. Following approval of the workplan
405 by the council, the commission shall submit the approved workplan
406 to the Board of Trustees of the Internal Improvement Trust Fund
407 for adoption. The board shall not delegate the final adoption of
408 the workplan to any other agency.

409 (b) By February 1, 2010, the commission shall submit a
410 report to the President of the Senate and the Speaker of the
411 House of Representatives on the efficacy of utilizing state-owned
412 lands to protect, manage, or restore habitat for native or
413 imperiled species. This subsection expires July 1, 2010.

414 Section 6. Subsection (3) of section 253.111, Florida
415 Statutes, is amended to read:

416 253.111 Notice to board of county commissioners before
417 sale.--The Board of Trustees of the Internal Improvement Trust
418 Fund of the state may not sell any land to which they hold title
419 unless and until they afford an opportunity to the county in
420 which such land is situated to receive such land on the following
421 terms and conditions:

422 (3) If the board receives, within (45) ~~30~~ days after notice
423 is given to the board of county commissioners pursuant to
424 subsection (1), the certified copy of the resolution provided for
425 in subsection (2), the board shall forthwith convey to the county
426 such land at a price that is equal to its appraised market value
427 established by generally accepted professional standards for real
428 estate appraisal and subject to such other terms and conditions
429 as the board determines.

430 Section 7. Paragraph (b) of subsection (2) of section
431 253.82, Florida Statutes, is amended to read:

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432 253.82 Title of state or private owners to Murphy Act
433 lands.--

434 (2) (b) Land to which title is vested in the board of
435 trustees by paragraph (a) shall be treated in the same manner as
436 other nonsovereignty lands owned by the board. However, any
437 parcel of land the title to which is vested in the Board of
438 Trustees of the Internal Improvement Trust Fund pursuant to this
439 section which is 10 acres or less in size and has a ~~an appraised~~
440 market value of \$250,000 or less is hereby declared surplus,
441 except for lands determined to be needed for state use, and may
442 be sold in any manner provided by law. ~~Only one appraisal shall~~
443 ~~be required for a sale of such land.~~ All proceeds from the sale
444 of such land shall be deposited into the Internal Improvement
445 Trust Fund. The Board of Trustees of the Internal Improvement
446 Trust Fund is authorized to adopt rules to implement the
447 provisions of this subsection.

448 Section 8. Section 259.032, Florida Statutes, is amended to
449 read:

450 259.032 Conservation and Recreation Lands Trust Fund;
451 purpose.--

452 (1) It is the policy of the state that the citizens of this
453 state shall be assured public ownership of natural areas for
454 purposes of maintaining this state's unique natural resources;
455 protecting air, land, and water quality; promoting water resource
456 development to meet the needs of natural systems and citizens of
457 this state; promoting restoration activities on public lands; and
458 providing lands for natural resource based recreation. In
459 recognition of this policy, it is the intent of the Legislature
460 to provide such public lands for the people residing in urban and
461 metropolitan areas of the state, as well as those residing in

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462 | less populated, rural areas. It is the further intent of the
463 | Legislature, with regard to the lands described in paragraph
464 | (3) (c), that a high priority be given to the acquisition,
465 | restoration, and management of such lands in or near counties
466 | exhibiting the greatest concentration of population and, with
467 | regard to the lands described in subsection (3), that a high
468 | priority be given to acquiring lands or rights or interests in
469 | lands within any area designated as an area of critical state
470 | concern under s. 380.05 which, in the judgment of the advisory
471 | council established pursuant to s. 259.035, or its successor,
472 | cannot be adequately protected by application of land development
473 | regulations adopted pursuant to s. 380.05. Finally, it is the
474 | Legislature's intent that lands acquired through this program and
475 | any successor programs be managed in such a way as to protect or
476 | restore their natural resource values, and provide the greatest
477 | benefit, including public access, to the citizens of this state.

478 | (2) (a) The Conservation and Recreation Lands Trust Fund is
479 | established within the Department of Environmental Protection.
480 | The fund shall be used as a nonlapsing, revolving fund
481 | exclusively for the purposes of this section. The fund shall be
482 | credited with proceeds from the following excise taxes:

483 | 1. The excise taxes on documents as provided in s. 201.15;
484 | and

485 | 2. The excise tax on the severance of phosphate rock as
486 | provided in s. 211.3103.

487 |
488 | The Department of Revenue shall credit to the fund each month the
489 | proceeds from such taxes as provided in this paragraph.

490 | (b) There shall annually be transferred from the
491 | Conservation and Recreation Lands Trust Fund to the Land

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492 Acquisition Trust Fund that amount, not to exceed \$20 million
493 annually, as shall be necessary to pay the debt service on, or
494 fund debt service reserve funds, rebate obligations, or other
495 amounts with respect to bonds issued pursuant to s. 375.051 to
496 acquire lands on the established priority list developed pursuant
497 to ss. 259.101(4) and 259.105; however, no moneys transferred to
498 the Land Acquisition Trust Fund pursuant to this paragraph, or
499 earnings thereon, shall be used or made available to pay debt
500 service on the Save Our Coast revenue bonds. Amounts transferred
501 annually from the Conservation and Recreation Lands Trust Fund to
502 the Land Acquisition Trust Fund pursuant to this paragraph shall
503 have the highest priority over other payments or transfers from
504 the Conservation and Recreation Lands Trust Fund, and no other
505 payments or transfers shall be made from the Conservation and
506 Recreation Lands Trust Fund until such transfers to the Land
507 Acquisition Trust Fund have been made. Moneys in the Conservation
508 and Recreation Lands Trust Fund also shall be used to manage
509 lands and to pay for related costs, activities, and functions
510 pursuant to the provisions of this section.

511 (3) The Governor and Cabinet, sitting as the Board of
512 Trustees of the Internal Improvement Trust Fund, may allocate
513 moneys from the fund in any one year to acquire the fee or any
514 lesser interest in lands for the following public purposes:

515 (a) To conserve and protect environmentally unique and
516 irreplaceable lands that contain native, relatively unaltered
517 flora and fauna representing a natural area unique to, or scarce
518 within, a region of this state or a larger geographic area;

519 (b) To conserve and protect lands within designated areas
520 of critical state concern, if the proposed acquisition relates to
521 the natural resource protection purposes of the designation;

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522 (c) To conserve and protect native species habitat or
523 endangered or threatened species, emphasizing long-term
524 protection for endangered or threatened species designated G-1 or
525 G-2 by the Florida Natural Areas Inventory, and especially those
526 areas that are special locations for breeding and reproduction;

527 (d) To conserve, protect, manage, or restore important
528 ecosystems, landscapes, and forests, if the protection and
529 conservation of such lands is necessary to enhance or protect
530 significant surface water, groundwater, coastal, recreational,
531 timber, or fish or wildlife resources which cannot otherwise be
532 accomplished through local and state regulatory programs;

533 (e) To promote water resource development that benefits
534 natural systems and citizens of the state;

535 (f) To facilitate the restoration and subsequent health and
536 vitality of the Florida Everglades;

537 (g) To provide areas, including recreational trails, for
538 natural resource based recreation and other outdoor recreation on
539 any part of any site compatible with conservation purposes;

540 (h) To preserve significant archaeological or historic
541 sites; or

542 (i) To conserve urban open spaces suitable for greenways or
543 outdoor recreation which are compatible with conservation
544 purposes.

545 (4) ~~(a)~~ Lands acquired under this section shall be for use
546 as state-designated parks, recreation areas, preserves, reserves,
547 historic or archaeological sites, geologic or botanical sites,
548 recreational trails, forests, wilderness areas, wildlife
549 management areas, urban open space, or other state-designated
550 recreation or conservation lands; or they shall qualify for such
551 state designation and use if they are to be managed by other

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552 governmental agencies or nonstate entities as provided for in
553 this section.

554 ~~(b) In addition to the uses allowed in paragraph (a),~~
555 ~~moneys may be transferred from the Conservation and Recreation~~
556 ~~Lands Trust Fund to the Florida Forever Trust Fund or the Land~~
557 ~~Acquisition Trust Fund. This paragraph expires July 1, 2007.~~

558 (5) The board of trustees may allocate, in any year, an
559 amount not to exceed 5 percent of the money credited to the fund
560 in that year, such allocation to be used for the initiation and
561 maintenance of a natural areas inventory to aid in the
562 identification of areas to be acquired pursuant to this section.

563 (6) Moneys in the fund not needed to meet obligations
564 incurred under this section shall be deposited with the Chief
565 Financial Officer to the credit of the fund and may be invested
566 in the manner provided by law. Interest received on such
567 investments shall be credited to the Conservation and Recreation
568 Lands Trust Fund.

569 (7) The board of trustees may enter into any contract
570 necessary to accomplish the purposes of this section. The lead
571 land managing agencies designated by the board of trustees also
572 are directed by the Legislature to enter into contracts or
573 interagency agreements with other governmental entities,
574 including local soil and water conservation districts, or private
575 land managers who have the expertise to perform specific
576 management activities which a lead agency lacks, or which would
577 cost more to provide in-house. Such activities shall include, but
578 not be limited to, controlled burning, road and ditch
579 maintenance, mowing, and wildlife assessments.

580 (8) Lands to be considered for purchase under this section
581 are subject to the selection procedures of s. 259.035 and related



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582 | rules and shall be acquired in accordance with acquisition
583 | procedures for state lands provided for in s. 259.041, except as
584 | otherwise provided by the Legislature. An inholding or an
585 | addition to a project selected for purchase pursuant to this
586 | chapter is not subject to the selection procedures of s. 259.035
587 | if the estimated value of such inholding or addition does not
588 | exceed \$500,000. When at least 90 percent of the acreage of a
589 | project has been purchased pursuant to this chapter, the project
590 | may be removed from the list and the remaining acreage may
591 | continue to be purchased. Moneys from the fund may be used for
592 | title work, appraisal fees, environmental audits, and survey
593 | costs related to acquisition expenses for lands to be acquired,
594 | donated, or exchanged which qualify under the categories of this
595 | section, at the discretion of the board. When the Legislature has
596 | authorized the Department of Environmental Protection to condemn
597 | a specific parcel of land and such parcel has already been
598 | approved for acquisition under this section, the land may be
599 | acquired in accordance with the provisions of chapter 73 or
600 | chapter 74, and the fund may be used to pay the condemnation
601 | award and all costs, including a reasonable attorney's fee,
602 | associated with condemnation.

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

605 | (a) Managed in a manner that will provide the greatest
606 | combination of benefits to the public and to the resources.

607 | (b) Managed for public outdoor recreation which is
608 | compatible with the conservation and protection of public lands.
609 | Such management may include, but not be limited to, the following
610 | public recreational uses: fishing, hunting, camping, bicycling,
611 | hiking, nature study, swimming, boating, canoeing, horseback

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612 riding, diving, model hobbyist activities, birding, sailing,
613 jogging, and other related outdoor activities compatible with the
614 purposes for which the lands were acquired.

615 (c) Managed for the purposes for which the lands were
616 acquired, consistent with paragraph (11) (a).

617 (d) Concurrent with its adoption of the annual Conservation
618 and Recreation Lands list of acquisition projects pursuant to s.
619 259.035, the board of trustees shall adopt a management
620 prospectus for each project. The management prospectus shall
621 delineate:

622 1. The management goals for the property;

623 2. The conditions that will affect the intensity of
624 management;

625 3. An estimate of the revenue-generating potential of the
626 property, if appropriate;

627 4. A timetable for implementing the various stages of
628 management and for providing access to the public, if applicable;

629 5. A description of potential multiple-use activities as
630 described in this section and s. 253.034;

631 6. Provisions for protecting existing infrastructure and
632 for ensuring the security of the project upon acquisition;

633 7. The anticipated costs of management and projected
634 sources of revenue, including legislative appropriations, to fund
635 management needs; and

636 8. Recommendations as to how many employees will be needed
637 to manage the property, and recommendations as to whether local
638 governments, volunteer groups, the former landowner, or other
639 interested parties can be involved in the management.

640 (e) Concurrent with the approval of the acquisition
641 contract pursuant to s. 259.041(3) (c) for any interest in lands



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642 | except those lands being acquired under the provisions of s.
643 | 259.1052, the board of trustees shall designate an agency or
644 | agencies to manage such lands. The board shall evaluate and
645 | amend, as appropriate, the management policy statement for the
646 | project as provided by s. 259.035, consistent with the purposes
647 | for which the lands are acquired. For any fee simple acquisition
648 | of a parcel which is or will be leased back for agricultural
649 | purposes, or any acquisition of a less-than-fee interest in land
650 | that is or will be used for agricultural purposes, the Board of
651 | Trustees of the Internal Improvement Trust Fund shall first
652 | consider having a soil and water conservation district, created
653 | pursuant to chapter 582, manage and monitor such interests.

654 | (f) State agencies designated to manage lands acquired
655 | under this chapter except those lands acquired under s. 259.1052
656 | may contract with local governments and soil and water
657 | conservation districts to assist in management activities,
658 | including the responsibility of being the lead land manager. Such
659 | land management contracts may include a provision for the
660 | transfer of management funding to the local government or soil
661 | and water conservation district from the Conservation and
662 | Recreation Lands Trust Fund in an amount adequate for the local
663 | government or soil and water conservation district to perform its
664 | contractual land management responsibilities and proportionate to
665 | its responsibilities, and which otherwise would have been
666 | expended by the state agency to manage the property.

667 | (g) Immediately following the acquisition of any interest
668 | in lands under this chapter, the Department of Environmental
669 | Protection, acting on behalf of the board of trustees, may issue
670 | to the lead managing entity an interim assignment letter to be
671 | effective until the execution of a formal lease.

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672 (10) (a) State, regional, or local governmental agencies or
673 private entities designated to manage lands under this section
674 shall develop and adopt, with the approval of the board of
675 trustees, an individual management plan for each project designed
676 to conserve and protect such lands and their associated natural
677 resources. Private sector involvement in management plan
678 development may be used to expedite the planning process.

679 (b) Individual management plans required by s. 253.034(5),
680 for parcels over 160 acres, shall be developed with input from an
681 advisory group. Members of this advisory group shall include, at
682 a minimum, representatives of the lead land managing agency,
683 comanaging entities, local private property owners, the
684 appropriate soil and water conservation district, a local
685 conservation organization, and a local elected official. The
686 advisory group shall conduct at least one public hearing within
687 the county in which the parcel or project is located. For those
688 parcels or projects that are within more than one county, at
689 least one areawide public hearing shall be acceptable and the
690 lead managing agency shall invite a local elected official from
691 each county. The areawide public hearing shall be held in the
692 county in which the core parcels are located. Notice of such
693 public hearing shall be posted on the parcel or project
694 designated for management, advertised in a paper of general
695 circulation, and announced at a scheduled meeting of the local
696 governing body before the actual public hearing. The management
697 prospectus required pursuant to paragraph (9) (d) shall be
698 available to the public for a period of 30 days prior to the
699 public hearing.

700 (c) Once a plan is adopted, the managing agency or entity
701 shall update the plan at least every 10 years in a form and



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702 manner prescribed by rule of the board of trustees. Such updates,
703 for parcels over 160 acres, shall be developed with input from an
704 advisory group. Such plans may include transfers of leasehold
705 interests to appropriate conservation organizations or
706 governmental entities designated by the Land Acquisition and
707 Management Advisory Council or its successor, for uses consistent
708 with the purposes of the organizations and the protection,
709 preservation, conservation, restoration, and proper management of
710 the lands and their resources. Volunteer management assistance is
711 encouraged, including, but not limited to, assistance by youths
712 participating in programs sponsored by state or local agencies,
713 by volunteers sponsored by environmental or civic organizations,
714 and by individuals participating in programs for committed
715 delinquents and adults.

716 (d)1. For each project for which lands are acquired after
717 July 1, 1995, an individual management plan shall be adopted and
718 in place no later than 1 year after the essential parcel or
719 parcels identified in the priority list developed pursuant to ss.
720 259.101(4) and 259.105 have been acquired. The Department of
721 Environmental Protection shall distribute only 75 percent of the
722 acquisition funds to which a budget entity or water management
723 district would otherwise be entitled from the Preservation 2000
724 Trust Fund to any budget entity or any water management district
725 that has more than one-third of its management plans overdue.

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



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731 (e) Individual management plans shall conform to the
732 appropriate policies and guidelines of the state land management
733 plan and shall include, but not be limited to:

734 1. A statement of the purpose for which the lands were
735 acquired, the projected use or uses as defined in s. 253.034, and
736 the statutory authority for such use or uses.

737 2. Key management activities necessary to preserve and
738 protect natural resources and restore habitat, and for
739 controlling the spread of nonnative plants and animals, and for
740 prescribed fire and other appropriate resource management
741 activities.

742 3. A specific description of how the managing agency plans
743 to identify, locate, protect, and preserve, or otherwise use
744 fragile, nonrenewable natural and cultural resources.

745 4. A priority schedule for conducting management
746 activities, based on the purposes for which the lands were
747 acquired.

748 5. A cost estimate for conducting priority management
749 activities, to include recommendations for cost-effective methods
750 of accomplishing those activities.

751 6. A cost estimate for conducting other management
752 activities which would enhance the natural resource value or
753 public recreation value for which the lands were acquired. The
754 cost estimate shall include recommendations for cost-effective
755 methods of accomplishing those activities.

756 7. A determination of the public uses and public access
757 that would be consistent with the purposes for which the lands
758 were acquired.

759 (f) The Division of State Lands shall submit a copy of each
760 individual management plan for parcels which exceed 160 acres in



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761 size to each member of the Acquisition and Restoration Council
762 ~~Land Acquisition and Management Advisory Council or its~~
763 ~~successor~~, which shall:

764 1. Within 60 days after receiving a plan from the division,
765 review each plan for compliance with the requirements of this
766 subsection and with the requirements of the rules established by
767 the board pursuant to this subsection.

768 2. Consider the propriety of the recommendations of the
769 managing agency with regard to the future use or protection of
770 the property.

771 3. After its review, submit the plan, along with its
772 recommendations and comments, to the board of trustees, with
773 recommendations as to whether to approve the plan as submitted,
774 approve the plan with modifications, or reject the plan.

775 (g) The board of trustees shall consider the individual
776 management plan submitted by each state agency and the
777 recommendations of the Acquisition and Restoration Council ~~and~~
778 ~~Acquisition and Management Advisory Council, or its successor,~~
779 and the Division of State Lands and shall approve the plan with
780 or without modification or reject such plan. The use or
781 possession of any lands owned by the board of trustees which is
782 not in accordance with an approved individual management plan is
783 subject to termination by the board of trustees.

784
785 By July 1 of each year, each governmental agency and each private
786 entity designated to manage lands shall report to the Secretary
787 of Environmental Protection on the progress of funding, staffing,
788 and resource management of every project for which the agency or
789 entity is responsible.

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790 (11) (a) The Legislature recognizes that acquiring lands
791 pursuant to this chapter serves the public interest by protecting
792 land, air, and water resources which contribute to the public
793 health and welfare, providing areas for natural resource based
794 recreation, and ensuring the survival of unique and irreplaceable
795 plant and animal species. The Legislature intends for these lands
796 to be managed and maintained for the purposes for which they were
797 acquired and for the public to have access to and use of these
798 lands where it is consistent with acquisition purposes and would
799 not harm the resources the state is seeking to protect on the
800 public's behalf.

801 (b) An amount of not less than ~~up to~~ 1.5 percent of the
802 cumulative total of funds ever deposited into the Florida
803 Preservation 2000 Trust Fund and the Florida Forever Trust Fund
804 shall be made available for the purposes of management,
805 maintenance, and capital improvements not eligible for funding
806 pursuant to s. 11(e), Art. VII of the State Constitution, and for
807 associated contractual services, for lands acquired pursuant to
808 this section, s. 259.101, s. 259.105, s. 259.1052, or previous
809 programs for the acquisition of lands for conservation and
810 recreation, including state forests, to which title is vested in
811 the board of trustees and other conservation and recreation lands
812 managed by a state agency. Of this amount, \$250,000 shall be
813 transferred annually to the Plant Industry Trust Fund within the
814 Department of Agriculture and Consumer Services for the purpose
815 of implementing the Endangered or Threatened Native Flora
816 Conservation Grants Program pursuant to s. 581.185(11). Each
817 agency with management responsibilities shall annually request
818 from the Legislature funds sufficient to fulfill such
819 responsibilities to implement individual management plans. For

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820 the purposes of this paragraph, capital improvements shall
821 include, but need not be limited to, perimeter fencing, signs,
822 firelanes, access roads and trails, and minimal public
823 accommodations, such as primitive campsites, garbage receptacles,
824 and toilets. Any equipment purchased with funds provided pursuant
825 to this paragraph may be used for the purposes described in this
826 paragraph on any conservation and recreation lands managed by a
827 state agency.

828 (c) In requesting funds provided for in paragraph (b) for
829 long-term management of all acquisitions pursuant to this chapter
830 and for associated contractual services, the managing agencies
831 shall recognize the following categories of land management
832 needs:

833 1. Lands which are low-need tracts, requiring basic
834 resource management and protection, such as state reserves, state
835 preserves, state forests, and wildlife management areas. These
836 lands generally are open to the public but have no more than
837 minimum facilities development.

838 2. Lands which are moderate-need tracts, requiring more
839 than basic resource management and protection, such as state
840 parks and state recreation areas. These lands generally have
841 extra restoration or protection needs, higher concentrations of
842 public use, or more highly developed facilities.

843 3. Lands which are high-need tracts, with identified needs
844 requiring unique site-specific resource management and
845 protection. These lands generally are sites with historic
846 significance, unique natural features, or very high intensity
847 public use, or sites that require extra funds to stabilize or
848 protect resources, such as lands with heavy infestations of
849 nonnative, invasive plants.

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851 In evaluating the management funding needs of lands based on the
852 above categories, the lead land managing agencies shall include
853 in their considerations the impacts of, and needs created or
854 addressed by, multiple-use management strategies.

855 (d) All revenues generated through multiple-use management
856 or compatible secondary-use management shall be returned to the
857 lead agency responsible for such management and shall be used to
858 pay for management activities on all conservation, preservation,
859 and recreation lands under the agency's jurisdiction. In
860 addition, such revenues shall be segregated in an agency trust
861 fund and shall remain available to the agency in subsequent
862 fiscal years to support land management appropriations. For the
863 purposes of this paragraph, compatible secondary-use management
864 shall be those activities described in subsection (9) undertaken
865 on parcels designated as single use pursuant to s. 253.034(2)(b).

866 (e) Up to one-fifth of the funds provided for in paragraph
867 (b) shall be reserved by the board of trustees for interim
868 management of acquisitions and for associated contractual
869 services, to ensure the conservation and protection of natural
870 resources on project sites and to allow limited public
871 recreational use of lands. Interim management activities may
872 include, but not be limited to, resource assessments, control of
873 invasive, nonnative species, habitat restoration, fencing, law
874 enforcement, controlled burning, and public access consistent
875 with preliminary determinations made pursuant to paragraph
876 (9)(g). The board of trustees shall make these interim funds
877 available immediately upon purchase.

878 (f) The department shall set long-range and annual goals
879 for the control and removal of nonnative, invasive plant species



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880 on public lands. Such goals shall differentiate between aquatic
881 plant species and upland plant species. In setting such goals,
882 the department may rank, in order of adverse impact, species that
883 impede or destroy the functioning of natural systems.
884 Notwithstanding paragraph (a), up to one-fourth of the funds
885 provided for in paragraph (b) may be used by the agencies
886 receiving those funds for control and removal of nonnative,
887 invasive species on public lands.

888 ~~(g) In addition to the purposes specified in paragraph (b),~~
889 ~~funds from the 1.5 percent of the cumulative total of funds ever~~
890 ~~deposited into the Florida Preservation 2000 Trust Fund and the~~
891 ~~Florida Forever Trust Fund may be appropriated for the 2006-2007~~
892 ~~fiscal year for the construction of replacement museum~~
893 ~~facilities. This paragraph expires July 1, 2007.~~

894 (12) (a) Beginning July 1, 1999, the Legislature shall make
895 available sufficient funds annually from the Conservation and
896 Recreation Lands Trust Fund to the department for payment in lieu
897 of taxes to qualifying counties and local governments as defined
898 in paragraph (b) for all actual tax losses incurred as a result
899 of board of trustees acquisitions for state agencies under the
900 Florida Forever program or the Florida Preservation 2000 program
901 during any year. Reserved funds not used for payments in lieu of
902 taxes in any year shall revert to the fund to be used for land
903 management in accordance with the provisions of this section.

904 (b) Payment in lieu of taxes shall be available:

905 1. To all counties that have a population of 150,000 or
906 fewer. Population levels shall be determined pursuant to s.
907 11.031.

908 2. To all local governments located in eligible counties.



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909 3. To Glades County, where a privately owned and operated
910 prison leased to the state has recently been opened and where
911 privately owned and operated juvenile justice facilities leased
912 to the state have recently been constructed and opened, a payment
913 in lieu of taxes, in an amount that offsets the loss of property
914 tax revenue, which funds have already been appropriated and
915 allocated from the Department of Correction's budget for the
916 purpose of reimbursing amounts equal to lost ad valorem taxes.

917 (c) If insufficient funds are available in any year to make
918 full payments to all qualifying counties and local governments,
919 such counties and local governments shall receive a pro rata
920 share of the moneys available.

921 (d) The payment amount shall be based on the average amount
922 of actual taxes paid on the property for the 3 years preceding
923 acquisition. Applications for payment in lieu of taxes shall be
924 made no later than January 31 of the year following acquisition.
925 No payment in lieu of taxes shall be made for properties which
926 were exempt from ad valorem taxation for the year immediately
927 preceding acquisition.

928 (e) If property which was subject to ad valorem taxation
929 was acquired by a tax-exempt entity for ultimate conveyance to
930 the state under this chapter, payment in lieu of taxes shall be
931 made for such property based upon the average amount of taxes
932 paid on the property for the 3 years prior to its being removed
933 from the tax rolls. The department shall certify to the
934 Department of Revenue those properties that may be eligible under
935 this provision. Once eligibility has been established, that
936 county or local government shall receive 10 consecutive annual
937 payments for each tax loss, and no further eligibility
938 determination shall be made during that period.



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939 (f) Payment in lieu of taxes pursuant to this subsection
940 shall be made annually to qualifying counties and local
941 governments after certification by the Department of Revenue that
942 the amounts applied for are reasonably appropriate, based on the
943 amount of actual taxes paid on the eligible property. With the
944 assistance of the local government requesting payment in lieu of
945 taxes, the state agency that acquired the land is responsible for
946 preparing and submitting application requests for payment to the
947 Department of Revenue for certification.

948 (g) If the board of trustees conveys to a local government
949 title to any land owned by the board, any payments in lieu of
950 taxes on the land made to the local government shall be
951 discontinued as of the date of the conveyance.

952
953 For the purposes of this subsection, "local government" includes
954 municipalities, the county school board, mosquito control
955 districts, and any other local government entity which levies ad
956 valorem taxes, with the exception of a water management district.

957 (13) Moneys credited to the fund each year which are not
958 used for management, maintenance, or capital improvements
959 pursuant to subsection (11); for payment in lieu of taxes
960 pursuant to subsection (12); or for the purposes of subsection
961 (5), shall be available for the acquisition of land pursuant to
962 this section.

963 (14) The board of trustees may adopt rules to further
964 define the categories of land for acquisition under this chapter.

965 (15) Within 90 days after receiving a certified letter from
966 the owner of a property on the Conservation and Recreation Lands
967 list or the priority list established pursuant to s. 259.105
968 objecting to the property being included in an acquisition

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969 project, where such property is a project or part of a project
970 which has not been listed for purchase in the current year's land
971 acquisition work plan, the board of trustees shall delete the
972 property from the list or from the boundary of an acquisition
973 project on the list.

974 Section 9. Section 259.035, Florida Statutes, is amended to
975 read:

976 259.035 Acquisition and Restoration Council.--

977 (1) There is created the Acquisition and Restoration
978 Council.

979 (a) The council shall be composed of nine voting members,
980 four of whom shall be appointed by the Governor. Of these four
981 appointees, three shall be from scientific disciplines related to
982 land, water, or environmental sciences and the fourth shall have
983 at least 5 years experience in managing lands for both active and
984 passive types of recreation. They shall serve 4-year terms,
985 except that, initially, to provide for staggered terms, two of
986 the appointees shall serve 2-year terms. All subsequent
987 appointments shall be for 4-year terms. No appointee shall serve
988 more than 6 years. The Governor may at any time fill a vacancy
989 for the unexpired term of a member appointed under this
990 paragraph.

991 (b) The five remaining appointees shall be composed of the
992 Secretary of Environmental Protection, the director of the
993 Division of Forestry of the Department of Agriculture and
994 Consumer Services, the executive director of the Fish and
995 Wildlife Conservation Commission, the director of the Division of
996 Historical Resources of the Department of State, and the
997 secretary of the Department of Community Affairs, or their
998 respective designees.

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999 (c) The Governor shall appoint the chair of the council,
1000 and a vice chair shall be elected from among the members.

1001 (d) The council shall hold periodic meetings at the request
1002 of the chair.

1003 (e) The Department of Environmental Protection shall
1004 provide primary staff support to the council and shall ensure
1005 that council meetings are electronically recorded. Such recording
1006 shall be preserved pursuant to chapters 119 and 257.

1007 (f) The board of trustees has authority to adopt rules
1008 pursuant to ss. 120.536(1) and 120.54 to implement the provisions
1009 of this section.

1010 (2) The four members of the council appointed by the
1011 Governor shall receive \$75 per day while engaged in the business
1012 of the council, as well as expenses and per diem for travel,
1013 including attendance at meetings, as allowed state officers and
1014 employees while in the performance of their duties, pursuant to
1015 s. 112.061.

1016 (3) The council shall provide assistance to the board of
1017 trustees in reviewing the recommendations and plans for state-
1018 owned lands required under ss. 253.034 and 259.032. The council
1019 shall, in reviewing such recommendations and plans, consider the
1020 optimization of multiple-use and conservation strategies to
1021 accomplish the provisions funded pursuant to ss. 259.101(3)(a)
1022 and 259.105(3)(b).

1023 (4) (a) The council may use existing rules adopted by the
1024 board of trustees, until it develops and recommends amendments to
1025 those rules, to competitively evaluate, select, and rank projects
1026 eligible for the Conservation and Recreation Lands list pursuant
1027 to ss. 259.032(3) and 259.101(4) ~~and, beginning no later than May~~
1028 ~~1, 2001, for Florida Forever funds pursuant to s. 259.105(3)(b).~~



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1029 (b) By December 1, 2009, the Acquisition and Restoration
1030 Council shall develop rules defining specific criteria and
1031 numeric performance measures needed for lands that are to be
1032 acquired for public purpose under the Florida Forever program
1033 pursuant to s. 259.105. Each recipient of Florida Forever funds
1034 shall assist the council in the development of such rules. These
1035 rules shall be reviewed and adopted by the Board then submitted
1036 to the Legislature for consideration by February 1, 2010. The
1037 Legislature may reject, modify, or take no action relative to the
1038 proposed rules. If no action is taken, the rules shall be
1039 implemented. Subsequent to their approval, each recipient of
1040 Florida Forever funds shall annually report to the Division of
1041 State Lands on each of the numeric performance measures
1042 accomplished during the previous fiscal year.

1043 (c) In developing or amending the rules, the council shall
1044 give weight to the criteria included in s. 259.105(10). The board
1045 of trustees shall review the recommendations and shall adopt
1046 rules necessary to administer this section.

1047 (5) An affirmative vote of five members of the council is
1048 required in order to change a project boundary or to place a
1049 proposed project on a list developed pursuant to subsection (4).
1050 Any member of the council who by family or a business
1051 relationship has a connection with all or a portion of any
1052 proposed project shall declare the interest before voting on its
1053 inclusion on a list.

1054 (6) The proposal for a project pursuant to this section or
1055 s. 259.105(3)(b) may be implemented only if adopted by the
1056 council and approved by the board of trustees. The council shall
1057 consider and evaluate in writing the merits and demerits of each
1058 project that is proposed for Conservation and Recreation Lands,



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1059 Florida Preservation 2000, or Florida Forever funding and shall
1060 ensure that each proposed project will meet a stated public
1061 purpose for the restoration, conservation, or preservation of
1062 environmentally sensitive lands and water areas or for providing
1063 outdoor recreational opportunities. The council also shall
1064 determine whether the project conforms, where applicable, with
1065 the comprehensive plan developed pursuant to s. 259.04(1)(a), the
1066 comprehensive multipurpose outdoor recreation plan developed
1067 pursuant to s. 375.021, the state lands management plan adopted
1068 pursuant to s. 253.03(7), the water resources work plans
1069 developed pursuant to s. 373.199, and the provisions of s.
1070 259.032, s. 259.101, or s. 259.105, whichever is applicable.

1071 Section 10. Subsections (3) and (7) of section 259.041,
1072 Florida Statutes, is amended to read:

1073 259.041 Acquisition of state-owned lands for preservation,
1074 conservation, and recreation purposes.--

1075 (3) No agreement to acquire real property for the purposes
1076 described in this chapter, chapter 260, or chapter 375, title to
1077 which will vest in the board of trustees, may bind the state
1078 unless and until the agreement has been reviewed and approved by
1079 the Department of Environmental Protection as complying with the
1080 requirements of this section and any rules adopted pursuant to
1081 this section. Where any of the following conditions exist, the
1082 agreement shall be submitted to and approved by the board of
1083 trustees:

1084 (a) The purchase price agreed to by the seller exceeds the
1085 value as established pursuant to the rules of the board of
1086 trustees;

1087 (b) The contract price agreed to by the seller and
1088 acquiring agency exceeds \$1 million;

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1089 (c) The acquisition is the initial purchase in a project;
1090 or

1091 (d) Other conditions that the board of trustees may adopt
1092 by rule. Such conditions may include, but not be limited to,
1093 projects where title to the property being acquired is considered
1094 nonmarketable or is encumbered in such a way as to significantly
1095 affect its management.

1096
1097 Where approval of the board of trustees is required pursuant to
1098 this subsection, the acquiring agency must provide a
1099 justification as to why it is in the public's interest to acquire
1100 the parcel or project. Approval of the board of trustees also is
1101 required for projects the department recommends acquiring
1102 pursuant to subsections (14) and (15). Review and approval of
1103 agreements for acquisitions for Florida Greenways and Trails
1104 Program properties pursuant to chapter 260 may be waived by the
1105 department in any contract with nonprofit corporations that have
1106 agreed to assist the department with this program. Where the
1107 contribution of the acquiring agency exceeds \$100 million in any
1108 one fiscal year, the agreement shall be submitted to and approved
1109 by the Legislative Budget Commission.

1110 (7) Prior to approval by the board of trustees or, when
1111 applicable, the Department of Environmental Protection, of any
1112 agreement to purchase land pursuant to this chapter, chapter 260,
1113 or chapter 375, and prior to negotiations with the parcel owner
1114 to purchase any other land, title to which will vest in the board
1115 of trustees, an appraisal of the parcel shall be required as
1116 follows:



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1117 (a) The board of trustees shall adopt by rule the method
1118 for determining the value of parcels sought to be acquired by
1119 state agencies pursuant to this section.

1120 (b) Each parcel to be acquired shall have at least one
1121 appraisal. Two appraisals are required when the estimated value
1122 of the parcel exceeds \$1 million ~~\$500,000~~. However, when both
1123 appraisals exceed \$1 million ~~\$500,000~~ and differ significantly, a
1124 third appraisal may be obtained. When a parcel is estimated to be
1125 worth \$100,000 or less and the director of the Division of State
1126 Lands finds that the cost of obtaining an outside appraisal is
1127 not justified, an appraisal prepared by the division may be used.

1128 (c) Appraisal fees and associated costs shall be paid by
1129 the agency proposing the acquisition. The board of trustees shall
1130 approve qualified fee appraisal organizations. All appraisals
1131 used for the acquisition of lands pursuant to this section shall
1132 be prepared by a member of an approved appraisal organization or
1133 by a state-certified appraiser who meets the standards and
1134 criteria established in rule by the board of trustees. Each fee
1135 appraiser selected to appraise a particular parcel shall, prior
1136 to contracting with the agency or a participant in a multiparty
1137 agreement, submit to that agency or participant an affidavit
1138 substantiating that he or she has no vested or fiduciary interest
1139 in such parcel.

1140 (d) The fee appraiser and the review appraiser for the
1141 agency shall not act in any way that may be construed as
1142 negotiating with the property owner.

1143 (e) Generally, appraisal reports are confidential and
1144 exempt from the provisions of s. 119.07(1), for use by the agency
1145 and the board of trustees, until an option contract is executed
1146 or, if no option contract is executed, until 2 weeks before a

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1147 contract or agreement for purchase is considered for approval by
1148 the board of trustees. However, the department has the authority,
1149 at its discretion, to disclose appraisal reports to private
1150 landowners during negotiations for acquisitions using
1151 alternatives to fee simple techniques, if the department
1152 determines that disclosure of such reports will bring the
1153 proposed acquisition to closure. The Division of State Lands may
1154 also disclose appraisal information to public agencies or
1155 nonprofit organizations that agree to maintain the
1156 confidentiality of the reports or information when joint
1157 acquisition of property is contemplated, or when a public agency
1158 or nonprofit organization enters into a written multiparty
1159 agreement with the division to purchase and hold property for
1160 subsequent resale to the division. In addition, the division may
1161 use, as its own, appraisals obtained by a public agency or
1162 nonprofit organization, provided the appraiser is selected from
1163 the division's list of appraisers and the appraisal is reviewed
1164 and approved by the division. For the purposes of this chapter,
1165 "nonprofit organization" means an organization whose purposes
1166 include the preservation of natural resources, and which is
1167 exempt from federal income tax under s. 501(c)(3) of the Internal
1168 Revenue Code. The agency may release an appraisal report when the
1169 passage of time has rendered the conclusions of value in the
1170 report invalid or when the acquiring agency has terminated
1171 negotiations.

1172 (f) The Division of State Lands may use, as its own,
1173 appraisals obtained by a public agency or nonprofit organization,
1174 provided that the appraiser is selected from the division's list
1175 of appraisers and the appraisal is reviewed and approved by the
1176 division. For the purposes of this chapter, the term "nonprofit

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1177 organization" means an organization whose purposes include the
1178 preservation of natural resources and which is exempt from
1179 federal income tax under s. 501(c)(3) of the Internal Revenue
1180 Code.

1181
1182 Notwithstanding the provisions of this subsection, on behalf of
1183 the board and before the appraisal of parcels approved for
1184 purchase under this chapter, the Secretary of Environmental
1185 Protection or the director of the Division of State Lands may
1186 enter into option contracts to buy such parcels. Any such option
1187 contract shall state that the final purchase price is subject to
1188 approval by the board or, when applicable, the secretary and that
1189 the final purchase price may not exceed the maximum offer allowed
1190 by law. Any such option contract presented to the board for final
1191 purchase price approval, shall explicitly state that payment of
1192 the final purchase price is subject to an appropriation from the
1193 Legislature. The consideration for such an option may not exceed
1194 \$1,000 or 0.01 percent of the estimate by the department of the
1195 value of the parcel, whichever amount is greater.

1196 Section 11. Section 259.105, Florida Statutes is amended to
1197 read:

1198 259.105 The Florida Forever Act.--

1199 (1) This section may be cited as the "Florida Forever Act."

1200 (2) (a) The Legislature finds and declares that:

1201 1. Land acquisition ~~The Preservation 2000 programs~~ have
1202 provided tremendous financial resources for purchasing
1203 environmentally significant lands to protect those lands from
1204 imminent development or alteration, thereby assuring present and
1205 future generations' access to important waterways, open spaces,
1206 and recreation and conservation lands.

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1207 2. The continued alteration and development of Florida's
1208 natural and rural areas to accommodate the state's ~~rapidly~~
1209 growing population have contributed to the degradation of water
1210 resources, the fragmentation and destruction of wildlife
1211 habitats, the loss of outdoor recreation space, and the
1212 diminishment of wetlands, forests, working landscapes and coastal
1213 open space and public beaches.

1214 3. The potential development of Florida's remaining natural
1215 areas and escalation of land values require a ~~continuation of~~
1216 government efforts to restore, bring under public protection, or
1217 acquire lands and water areas to preserve the state's essential
1218 ecological functions and invaluable quality of life.

1219 4. It is essential to protect the state's ecosystems by
1220 promoting a more efficient use of land, ensuring opportunities
1221 for viable agricultural activities on working lands, and to
1222 promote vital rural and urban communities which support and
1223 produce development patterns consistent with natural resource
1224 protection.

1225 54. Florida's groundwater, surface waters, and springs are
1226 under tremendous pressure due to population growth and economic
1227 expansion and require special protection and restoration efforts,
1228 including the protection of uplands and springsheds that provide
1229 vital recharge to aquifer systems and are critical to the
1230 protection of water quality and water quantity of the aquifers
1231 and springs. A variety of incentives should be developed for
1232 landowners to help maintain these lands, including options that
1233 encourage the cultivation of water and other ecosystem resource
1234 services. To ensure that sufficient quantities of water are
1235 available to meet the current and future needs of the natural
1236 systems and citizens of the state, and assist in achieving the

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1237 | planning goals of the department and the water management
1238 | districts, water resource development projects on public lands,
1239 | where compatible with the resource values of and management
1240 | objectives for the lands, are appropriate.

1241 | 65. The needs of urban, suburban and small communities in
1242 | Florida for high-quality outdoor recreational opportunities,
1243 | greenways, trails, and open space have not been fully met by
1244 | previous acquisition programs. Through such programs as the
1245 | Florida Communities Trust and the Florida Recreation Development
1246 | Assistance Program, the state shall place additional emphasis on
1247 | acquiring, protecting, preserving, and restoring open space,
1248 | ecological greenways, and recreation properties within urban,
1249 | suburban and rural areas where pristine natural communities or
1250 | water bodies no longer exist because of the proximity of
1251 | developed property.

1252 | 76. Many of Florida's unique ecosystems, such as the
1253 | Florida Everglades, are facing ecological collapse due to
1254 | Florida's burgeoning population growth and other economic
1255 | activities. To preserve these valuable ecosystems for future
1256 | generations, essential parcels of land must be acquired to
1257 | facilitate ecosystem restoration.

1258 | 87. Access to public lands to support a broad range of
1259 | outdoor recreational opportunities and the development of
1260 | necessary infrastructure, where compatible with the resource
1261 | values of and management objectives for such lands, promotes an
1262 | appreciation for Florida's natural assets and improves the
1263 | quality of life.

1264 | 98. Acquisition of lands, in fee simple, less-than-fee
1265 | interest, or other techniques ~~in any lesser interest~~, shall
1266 | ~~should~~ be based on a comprehensive science-based assessment of

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1267 Florida's natural resources that targets essential conservation
1268 lands by prioritizing all current and future acquisitions based
1269 on a uniform set of data and planned so as to protect the
1270 integrity and function of ecological systems and working
1271 landscapes, and provide multiple benefits, including preservation
1272 of fish and wildlife habitat, recreation space for urban and as
1273 ~~well as~~ rural areas, and the restoration of natural water
1274 storage, flow, and recharge.

1275 109. The state has embraced performance-based program
1276 budgeting as a tool to evaluate the achievements of publicly
1277 funded agencies, build in accountability, and reward those
1278 agencies which are able to consistently achieve quantifiable
1279 goals. While previous and existing state environmental programs
1280 have achieved varying degrees of success, few of these programs
1281 can be evaluated as to the extent of their achievements,
1282 primarily because performance measures, standards, outcomes, and
1283 goals were not established at the outset. Therefore, the Florida
1284 Forever program shall be developed and implemented in the context
1285 of measurable state goals and objectives.

1286 1110. It is the intent of the Legislature to change the
1287 focus and direction of the state's major land acquisition
1288 programs and to extend funding and bonding capabilities, so that
1289 future generations may enjoy the natural resources of Florida.

1290 (b) The Legislature recognizes that acquisition is only one
1291 way to achieve the aforementioned goals and encourages the
1292 development of creative partnerships between governmental
1293 agencies and private landowners. Land protection agreements,
1294 rural land stewardship agreements, sector planning, mitigation,
1295 and similar tools should be used, where appropriate, to bring
1296 environmentally sensitive tracts under an acceptable level of



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1297 protection at a lower financial cost to the public, and to
1298 provide private landowners with the opportunity to enjoy and
1299 benefit from their property.

1300 (c) Public agencies or other entities that receive funds
1301 under this section shall ~~are encouraged to better~~ coordinate
1302 their expenditures so that project acquisitions, when combined
1303 with acquisitions under Florida Forever, Preservation 2000, Save
1304 Our Rivers, the Florida Communities Trust, and other public land
1305 acquisition programs, will form more complete patterns of
1306 protection for natural areas, ecological greenways, and
1307 functioning ecosystems, to better accomplish the intent of this
1308 section.

1309 (d) A long-term financial commitment to managing Florida's
1310 public lands must accompany any new land acquisition program to
1311 ensure that the natural resource values of such lands are
1312 protected, that the public has the opportunity to enjoy the lands
1313 to their fullest potential, and that the state achieves the full
1314 benefits of its investment of public dollars. Innovative
1315 strategies such as public-private partnerships and inter-agency
1316 planning and sharing of resources shall be used to achieve the
1317 state's management goals.

1318 (e) With limited dollars available for restoration and
1319 acquisition of land and water areas and for providing long-term
1320 management and capital improvements, a competitive selection
1321 process shall ~~can~~ select those projects best able to meet the
1322 goals of Florida Forever and maximize the efficient use of the
1323 program's funding.

1324 (f) To ensure success and provide accountability to the
1325 citizens of this state, it is the intent of the Legislature that
1326 any cash or bond proceeds used pursuant to this section be used



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1327 to implement the goals and objectives recommended by a
1328 comprehensive science-based assessment and the Florida Forever
1329 Advisory Council as approved by the Board of Trustees of the
1330 Internal Improvement Trust Fund and the Legislature.

1331 (g) As it has with previous land acquisition programs, the
1332 Legislature recognizes the desires of the citizens of this state
1333 to prosper through economic development and to preserve the
1334 natural areas and recreational open space of Florida. The
1335 Legislature further recognizes the urgency of restoring the
1336 natural functions of public lands or water bodies before they are
1337 degraded to a point where recovery may never occur, yet
1338 acknowledges the difficulty of ensuring adequate funding for
1339 restoration efforts in light of other equally critical financial
1340 needs of the state. It is the Legislature's desire and intent to
1341 fund the implementation of this section and to do so in a
1342 fiscally responsible manner, by issuing bonds to be repaid with
1343 documentary stamp tax, or other revenue sources.

1344 (h) The Legislature further recognizes the important role
1345 that many of our state and federal military installations
1346 contribute to protecting and preserving Florida's natural
1347 resources as well as our economic prosperity. Where the state's
1348 land conservation plans overlap with the military's need to
1349 protect lands, waters, and habitat to ensure the sustainability
1350 of military missions, it is the Legislature's intent that
1351 agencies receiving funds under this program cooperate with our
1352 military partners to protect and buffer military installations
1353 and military airspace, by:

1354 1. Protecting habitat on nonmilitary land for any species
1355 found on military land that is designated as threatened or

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1356 endangered, or is a candidate for such designation under the
1357 Endangered Species Act or any Florida statute;

1358 2. Protecting areas underlying low-level military air
1359 corridors or operating areas; and

1360 3. Protecting areas identified as clear zones, accident
1361 potential zones, and air installation compatible use buffer zones
1362 delineated by our military partners.

1363 (3) Less the costs of issuing and the costs of funding
1364 reserve accounts and other costs associated with bonds, the
1365 proceeds of cash payments or bonds issued pursuant to this
1366 section shall be deposited into the Florida Forever Trust Fund
1367 created by s. 259.1051. The proceeds shall be distributed by the
1368 Department of Environmental Protection in the following manner:

1369 (a) Thirty-five percent to the Department of Environmental
1370 Protection for the acquisition of lands and capital project
1371 expenditures necessary to implement the water management
1372 districts' priority lists developed pursuant to s. 373.199. The
1373 funds are to be distributed to the water management districts as
1374 provided in subsection (11). A minimum of 50 percent of the total
1375 funds provided over the life of the Florida Forever program
1376 pursuant to this paragraph shall be used for the acquisition of
1377 lands.

1378 (b) Thirty-five percent to the Department of Environmental
1379 Protection for the acquisition of lands and capital project
1380 expenditures described in this section. Of the proceeds
1381 distributed pursuant to this paragraph, it is the intent of the
1382 Legislature that an increased priority be given to those
1383 acquisitions which achieve a combination of conservation goals,
1384 including protecting Florida's water resources and natural
1385 groundwater recharge. At a minimum, 3 percent, and no more than

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1386 10 percent, of the funds allocated pursuant to this paragraph,
1387 shall be spent on capital project expenditures identified during
1388 the time of acquisition that meets land management planning
1389 activities necessary for public access ~~may not exceed 10 percent~~
1390 ~~of the funds allocated pursuant to this paragraph.~~

1391 (c) Twenty-two percent to the Department of Community
1392 Affairs for use by the Florida Communities Trust for the purposes
1393 of part III of chapter 380, as described and limited by this
1394 subsection, and grants to local governments or nonprofit
1395 environmental organizations that are tax-exempt under s.
1396 501(c)(3) of the United States Internal Revenue Code for the
1397 acquisition of community-based projects, urban open spaces,
1398 parks, and greenways to implement local government comprehensive
1399 plans. From funds available to the trust and used for land
1400 acquisition, 75 percent shall be matched by local governments on
1401 a dollar-for-dollar basis. The Legislature intends that the
1402 Florida Communities Trust emphasize funding projects in low-
1403 income or otherwise disadvantaged communities. At least 30
1404 percent of the total allocation provided to the trust shall be
1405 used in Standard Metropolitan Statistical Areas, but one-half of
1406 that amount shall be used in localities in which the project site
1407 is located in built-up commercial, industrial, or mixed-use areas
1408 and functions to intersperse open spaces within congested urban
1409 core areas. From funds allocated to the trust, no less than 5
1410 percent shall be used to acquire lands for recreational trail
1411 systems, provided that in the event these funds are not needed
1412 for such projects, they will be available for other trust
1413 projects. Local governments may use federal grants or loans,
1414 private donations, or environmental mitigation funds, including
1415 environmental mitigation funds required pursuant to s. 338.250,

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1416 for any part or all of any local match required for acquisitions
1417 funded through the Florida Communities Trust. Any lands purchased
1418 by nonprofit organizations using funds allocated under this
1419 paragraph must provide for such lands to remain permanently in
1420 public use through a reversion of title to local or state
1421 government, conservation easement, or other appropriate
1422 mechanism. Projects funded with funds allocated to the Trust
1423 shall be selected in a competitive process measured against
1424 criteria adopted in rule by the Trust.

1425 (d) Two percent to the Department of Environmental
1426 Protection for grants pursuant to s. 375.075.

1427 (e) One and five-tenths percent to the Department of
1428 Environmental Protection for the purchase of inholdings and
1429 additions to state parks and for capital project expenditures as
1430 described in this section. At a minimum, 1 percent, and no more
1431 than 10 percent, of the funds allocated pursuant to this
1432 paragraph, shall be spent on capital project expenditures
1433 identified during the time of acquisition that meets land
1434 management planning activities necessary for public access ~~may~~
1435 ~~not exceed 10 percent of the funds allocated under this~~
1436 ~~paragraph.~~ For the purposes of this paragraph, "state park" means
1437 any real property in the state which is under the jurisdiction of
1438 the Division of Recreation and Parks of the department, or which
1439 may come under its jurisdiction.

1440 (f) One and five-tenths percent to ~~the Division of Forestry~~
1441 ~~of~~ the Department of Agriculture and Consumer Services to fund
1442 easements pursuant to s. 570.71 (2) (a) and (b), the acquisition
1443 of state forest inholdings and additions pursuant to s. 589.07,
1444 the implementation of reforestation plans or sustainable forestry
1445 management practices, and for capital project expenditures as

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1446 described in this section. At a minimum, 1 percent, and no more
1447 than 10 percent, of the funds allocated for the acquisition of
1448 inholdings and additions pursuant to this paragraph, shall be
1449 spent on capital project expenditures identified during the time
1450 of acquisition that meets land management planning activities
1451 necessary for public access may not exceed 10 percent of the
1452 funds allocated under this paragraph.

1453 (g) One and five-tenths percent to the Fish and Wildlife
1454 Conservation Commission to fund the acquisition of inholdings and
1455 additions to lands managed by the commission which are important
1456 to the conservation of fish and wildlife and for capital project
1457 expenditures as described in this section. At a minimum, 1
1458 percent, and no more than 10 percent, of the funds allocated
1459 pursuant to this paragraph, shall be spent on capital project
1460 expenditures identified during the time of acquisition that meets
1461 land management planning activities necessary for public access
1462 may not exceed 10 percent of the funds allocated under this
1463 paragraph.

1464 (h) One and five-tenths percent to the Department of
1465 Environmental Protection for the Florida Greenways and Trails
1466 Program, to acquire greenways and trails or greenways and trail
1467 systems pursuant to chapter 260, including, but not limited to,
1468 abandoned railroad rights-of-way and the Florida National Scenic
1469 Trail and for capital project expenditures as described in this
1470 section. At a minimum, 1 percent, and no more than 10 percent, of
1471 the funds allocated pursuant to this paragraph, shall be spent on
1472 capital project expenditures identified during the time of
1473 acquisition that meets land management planning activities
1474 necessary for public access may not exceed 10 percent of the
1475 funds allocated under this paragraph.



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1476 (i) It is the intent of the Legislature that cash payments
1477 or proceeds of Florida Forever bonds distributed under this
1478 section shall be expended in an efficient and fiscally
1479 responsible manner. An agency that receives proceeds from Florida
1480 Forever bonds under this section may not maintain a balance of
1481 unencumbered funds in its Florida Forever subaccount beyond 3
1482 fiscal years from the date of deposit of funds from each bond
1483 issue. Any funds that have not been expended or encumbered after
1484 3 fiscal years from the date of deposit shall be distributed by
1485 the Legislature at its next regular session for use in the
1486 Florida Forever program.

1487 (j) For the purposes of paragraphs ~~(d)~~, (e), (f), ~~and~~ (g),
1488 and (h) the agencies which receive the funds shall develop their
1489 individual acquisition or restoration lists in accordance with
1490 specific criteria and numeric performance measures developed
1491 pursuant s. 259.035(4). Proposed additions may be acquired if
1492 they are identified within the original project boundary, the
1493 management plan required pursuant to s. 253.034(5), or the
1494 management prospectus required pursuant to s. 259.032(9)(d).
1495 Proposed additions not meeting the requirements of this paragraph
1496 shall be submitted to the Acquisition and Restoration Council for
1497 approval. The council may only approve the proposed addition if
1498 it meets two or more of the following criteria: serves as a link
1499 or corridor to other publicly owned property; enhances the
1500 protection or management of the property; would add a desirable
1501 resource to the property; would create a more manageable boundary
1502 configuration; has a high resource value that otherwise would be
1503 unprotected; or can be acquired at less than fair market value.

1504 (4) It is the intent of the Legislature that projects or
1505 acquisitions funded pursuant to paragraphs (3)(a) and (b)

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1506 contribute to the achievement of the following goals, which shall
1507 be evaluated in accordance with specific criteria and numeric
1508 performance measures developed pursuant s. 259.035(4):

1509 (a) Enhance the coordination and completion of land
1510 acquisition projects, as measured by:

1511 1. The number of acres acquired through the state's land
1512 acquisition programs that contribute to the enhancement of
1513 essential natural resources, ecosystem service parcels, and
1514 connecting linkage corridors as identified and developed by the
1515 best available scientific analysis ~~completion of Florida~~
1516 ~~Preservation 2000 projects or projects begun before Preservation~~
1517 ~~2000;~~

1518 2. The number of acres protected through the use of
1519 alternatives to fee simple acquisition; or

1520 3. The number of shared acquisition projects among Florida
1521 Forever funding partners and partners with other funding sources,
1522 including local governments and the Federal Government.

1523 (b) Increase the protection of Florida's biodiversity at
1524 the species, natural community, and landscape levels, as measured
1525 by:

1526 1. The number of acres acquired of significant strategic
1527 habitat conservation areas;

1528 2. The number of acres acquired of highest priority
1529 conservation areas for Florida's rarest species;

1530 3. The number of acres acquired of significant landscapes,
1531 landscape linkages, and conservation corridors, giving priority
1532 to completing linkages;

1533 4. The number of acres acquired of underrepresented native
1534 ecosystems;

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1535 5. The number of landscape-sized protection areas of at
1536 least 50,000 acres that exhibit a mosaic of predominantly intact
1537 or restorable natural communities established through new
1538 acquisition projects or augmentations to previous projects; or

1539 6. The percentage increase in the number of occurrences of
1540 endangered species, threatened species, or species of special
1541 concern on publicly managed conservation areas.

1542 (c) Protect, restore, and maintain the quality and natural
1543 functions of land, water, and wetland systems of the state, as
1544 measured by:

1545 1. The number of acres of publicly owned land identified as
1546 needing restoration, acres undergoing restoration, and acres with
1547 restoration activities completed;

1548 2. The percentage of water segments that fully meet,
1549 partially meet, or do not meet their designated uses as reported
1550 in the Department of Environmental Protection's State Water
1551 Quality Assessment 305(b) Report;

1552 3. The percentage completion of targeted capital
1553 improvements in surface water improvement and management plans
1554 created under s. 373.453(2), regional or master stormwater
1555 management system plans, or other adopted restoration plans;

1556 4. The number of acres acquired that protect natural
1557 floodplain functions;

1558 5. The number of acres acquired that protect surface waters
1559 of the state;

1560 6. The number of acres identified for acquisition to
1561 minimize damage from flooding and the percentage of those acres
1562 acquired;

1563 7. The number of acres acquired that protect fragile
1564 coastal resources;



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1565 8. The number of acres of functional wetland systems
1566 protected;

1567 9. The percentage of miles of critically eroding beaches
1568 contiguous with public lands that are restored or protected from
1569 further erosion;

1570 10. The percentage of public lakes and rivers in which
1571 invasive, nonnative aquatic plants are under maintenance control;
1572 or

1573 11. The number of acres of public conservation lands in
1574 which upland invasive, exotic plants are under maintenance
1575 control.

1576 (d) Ensure that sufficient quantities of water are
1577 available to meet the current and future needs of natural systems
1578 and the citizens of the state, as measured by:

1579 1. The number of acres acquired which provide retention and
1580 storage of surface water in naturally occurring storage areas,
1581 such as lakes and wetlands, consistent with the maintenance of
1582 water resources or water supplies and consistent with district
1583 water supply plans;

1584 2. The quantity of water made available through the water
1585 resource development component of a district water supply plan
1586 for which a water management district is responsible; or

1587 3. The number of acres acquired of groundwater recharge
1588 areas critical to springs, sinks, aquifers, other natural
1589 systems, or water supply.

1590 (e) Increase natural resource-based public recreational and
1591 educational opportunities, as measured by:

1592 1. The number of acres acquired that are available for
1593 natural resource-based public recreation or education;



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1594 2. The miles of trails that are available for public
1595 recreation, giving priority to those that provide significant
1596 connections including those that will assist in completing the
1597 Florida National Scenic Trail; or

1598 3. The number of new resource-based recreation facilities,
1599 by type, made available on public land.

1600 (f) Preserve significant archaeological or historic sites,
1601 as measured by:

1602 1. The increase in the number of and percentage of historic
1603 and archaeological properties listed in the Florida Master Site
1604 File or National Register of Historic Places which are protected
1605 or preserved for public use; or

1606 2. The increase in the number and percentage of historic
1607 and archaeological properties that are in state ownership.

1608 (g) Increase the amount of forestland available for
1609 sustainable management of natural resources, as measured by:

1610 1. The number of acres acquired that are available for
1611 sustainable forest management;

1612 2. The number of acres of state-owned forestland managed
1613 for economic return in accordance with current best management
1614 practices;

1615 3. The number of acres of forestland acquired that will
1616 serve to maintain natural groundwater recharge functions; or

1617 4. The percentage and number of acres identified for
1618 restoration actually restored by reforestation.

1619 (h) Increase the amount of open space available in urban
1620 areas, as measured by:

1621 1. The percentage of local governments that participate in
1622 land acquisition programs and acquire open space in urban cores;
1623 or



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1624 2. The percentage and number of acres of purchases of open
1625 space within urban service areas.

1626
1627 Florida Forever projects and acquisitions funded pursuant to
1628 paragraph (3)(c) shall be measured by goals developed by rule by
1629 the Florida Communities Trust Governing Board created in s.
1630 380.504.

1631 (5)(a) All lands acquired pursuant to this section shall be
1632 managed for multiple-use purposes, where compatible with the
1633 resource values of and management objectives for such lands. As
1634 used in this section, "multiple-use" includes, but is not limited
1635 to, outdoor recreational activities as described in ss. 253.034
1636 and 259.032(9)(b), water resource development projects, ~~and~~
1637 sustainable forestry management, carbon sequestration, carbon
1638 mitigation, or carbon offsets.

1639 (b) Upon a decision by the entity in which title to lands
1640 acquired pursuant to this section has vested, such lands may be
1641 designated single use as defined in s. 253.034(2)(b).

1642 (c) For purposes of this section, the Board of Trustees of
1643 the Internal Improvement Trust Fund shall adopt rules, pertaining
1644 to the use of state lands for carbon sequestration, carbon
1645 mitigation, or carbon offsets, that provide for climate change
1646 related benefits.

1647 (6) As provided in this section, a water resource or water
1648 supply development project may be allowed only if the following
1649 conditions are met: minimum flows and levels have been
1650 established for those waters, if any, which may reasonably be
1651 expected to experience significant harm to water resources as a
1652 result of the project; the project complies with all applicable
1653 permitting requirements; and the project is consistent with the



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1654 regional water supply plan, if any, of the water management
1655 district and with relevant recovery or prevention strategies if
1656 required pursuant to s. 373.0421(2).

1657 (7) (a) Beginning no later than July 1, 2001, and every year
1658 thereafter, the Acquisition and Restoration Council shall accept
1659 applications from state agencies, local governments, nonprofit
1660 and for-profit organizations, private land trusts, and
1661 individuals for project proposals eligible for funding pursuant
1662 to paragraph (3) (b). The council shall evaluate the proposals
1663 received pursuant to this subsection to ensure that they meet at
1664 least one of the criteria under subsection (9).

1665 (b) Project applications shall contain, at a minimum, the
1666 following:

1667 1. A minimum of two numeric performance measures that
1668 directly relate to the overall goals adopted by the council. Each
1669 performance measure shall include a baseline measurement, which
1670 is the current situation; a performance standard which the
1671 project sponsor anticipates the project will achieve; and the
1672 performance measurement itself, which should reflect the
1673 incremental improvements the project accomplishes towards
1674 achieving the performance standard.

1675 2. Proof that property owners within any proposed
1676 acquisition have been notified of their inclusion in the proposed
1677 project. Any property owner may request the removal of such
1678 property from further consideration by submitting a request to
1679 the project sponsor or the Acquisition and Restoration Council by
1680 certified mail. Upon receiving this request, the council shall
1681 delete the property from the proposed project; however, the board
1682 of trustees, at the time it votes to approve the proposed project
1683 lists pursuant to subsection (16), may add the property back on



1684 to the project lists if it determines by a super majority of its
1685 members that such property is critical to achieve the purposes of
1686 the project.

1687 (c) The title to lands acquired under this section shall
1688 vest in the Board of Trustees of the Internal Improvement Trust
1689 Fund, except that title to lands acquired by a water management
1690 district shall vest in the name of that district and lands
1691 acquired by a local government shall vest in the name of the
1692 purchasing local government. All deeds or leases with respect to
1693 any real property acquired with funds received by a water
1694 management district pursuant to this section shall contain a
1695 reversion, conveyance, or termination clause that will vest title
1696 in the Board of Trustees of the Internal Improvement Trust Fund
1697 prior to any disposition or surplus of such lands.

1698 (8) The Acquisition and Restoration Council shall develop a
1699 project list that shall represent those projects submitted
1700 pursuant to subsection (7).

1701 (9) The Acquisition and Restoration Council shall adopt an
1702 annual workplan that provides a priority ranking for ~~recommend~~
1703 rules for adoption by the board of trustees to competitively
1704 evaluate, select, and rank projects eligible for Florida Forever
1705 funds pursuant to paragraph (3) (b) and for additions to the
1706 Conservation and Recreation Lands list pursuant to ss. 259.032
1707 and 259.101(4). In developing the workplan ~~these proposed rules~~,
1708 the Acquisition and Restoration Council shall give weight to the
1709 following criteria:

1710 (a) The project meets multiple goals described in
1711 subsection (4).

1712 (b) The project is part of an ongoing governmental effort
1713 to restore, protect, or develop land areas or water resources.



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1714 (c) The project enhances or facilitates management of
1715 properties already under public ownership.

1716 (d) The project has significant archaeological or historic
1717 value.

1718 (e) The project has funding sources that are identified and
1719 assured through at least the first 2 years of the project.

1720 (f) The project contributes to the solution of water
1721 resource problems on a regional basis.

1722 (g) The project has a significant portion of its land area
1723 in imminent danger of development, in imminent danger of losing
1724 its significant natural attributes or recreational open space, or
1725 in imminent danger of subdivision which would result in multiple
1726 ownership and make acquisition of the project costly or less
1727 likely to be accomplished.

1728 (h) The project implements an element from a plan developed
1729 by an ecosystem management team.

1730 (i) The project is one of the components of the Everglades
1731 restoration effort.

1732 (j) The project may be purchased at 80 percent of appraised
1733 value.

1734 (k) The project may be acquired, in whole or in part, using
1735 tax incentives, mitigation funds or other revenues, and
1736 alternatives to fee simple, including but not limited to,
1737 purchase of development rights, hunting rights, agricultural or
1738 silvicultural rights, or mineral rights or obtaining conservation
1739 easements or flowage easements.

1740 (l) The project is a joint acquisition, either among public
1741 agencies, nonprofit organizations, or private entities, or by a
1742 public-private partnership.

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1743 (10) The Acquisition and Restoration Council shall give
1744 increased priority to those projects for which matching funds are
1745 available and to project elements previously identified on an
1746 acquisition list pursuant to this section that can be acquired at
1747 80 percent or less of appraised value. The council shall also
1748 give increased priority to those projects where the state's land
1749 conservation plans overlap with the military's need to protect
1750 lands, water, and habitat to ensure the sustainability of
1751 military missions including:

1752 (a) Protecting habitat on nonmilitary land for any species
1753 found on military land that is designated as threatened or
1754 endangered, or is a candidate for such designation under the
1755 Endangered Species Act or any Florida statute;

1756 (b) Protecting areas underlying low-level military air
1757 corridors or operating areas; and

1758 (c) Protecting areas identified as clear zones, accident
1759 potential zones, and air installation compatible use buffer zones
1760 delineated by our military partners, and for which federal or
1761 other funding is available to assist with the project.

1762 (11) For the purposes of funding projects pursuant to
1763 paragraph (3) (a), the Secretary of Environmental Protection shall
1764 ensure that each water management district receives the following
1765 percentage of funds annually:

1766 (a) Thirty-five percent to the South Florida Water
1767 Management District, of which amount \$25 million for 2 years
1768 beginning in fiscal year 2000-2001 shall be transferred by the
1769 Department of Environmental Protection into the Save Our
1770 Everglades Trust Fund and shall be used exclusively to implement
1771 the comprehensive plan under s. 373.470.

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1772 (b) Twenty-five percent to the Southwest Florida Water
1773 Management District.

1774 (c) Twenty-five percent to the St. Johns River Water
1775 Management District.

1776 (d) Seven and one-half percent to the Suwannee River Water
1777 Management District.

1778 (e) Seven and one-half percent to the Northwest Florida
1779 Water Management District.

1780 (12) It is the intent of the Legislature that in developing
1781 the list of projects for funding pursuant to paragraph (3) (a),
1782 that these funds not be used to abrogate the financial
1783 responsibility of those point and nonpoint sources that have
1784 contributed to the degradation of water or land areas. Therefore,
1785 an increased priority shall be given by the water management
1786 district governing boards to those projects that have secured a
1787 cost-sharing agreement allocating responsibility for the cleanup
1788 of point and nonpoint sources.

1789 (13) An affirmative vote of five members of the Acquisition
1790 and Restoration Council shall be required in order to place a
1791 proposed project on the list developed pursuant to subsection
1792 (8). Any member of the council who by family or a business
1793 relationship has a connection with any project proposed to be
1794 ranked shall declare such interest prior to voting for a
1795 project's inclusion on the list.

1796 (14) Each year that cash disbursements or bonds are to be
1797 issued pursuant to this section, the Acquisition and Restoration
1798 Council shall review the most current approved project list and
1799 shall, by the first board meeting in May, present to the Board of
1800 Trustees of the Internal Improvement Trust Fund for approval a
1801 listing of projects developed pursuant to subsection (8). The



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1802 board of trustees may remove projects from the list developed
1803 pursuant to this subsection, but may not add projects or
1804 rearrange project rankings.

1805 (15) The Acquisition and Restoration Council shall submit
1806 to the board of trustees, with its list of projects, a report
1807 that includes, but shall not be limited to, the following
1808 information for each project listed:

1809 (a) The stated purpose for inclusion.

1810 (b) Projected costs to achieve the project goals.

1811 (c) An interim management budget that includes all costs
1812 associated with immediate public access.

1813 (d) Specific performance measures.

1814 (e) Plans for public access.

1815 (f) An identification of the essential parcel or parcels
1816 within the project without which the project cannot be properly
1817 managed.

1818 (g) Where applicable, an identification of those projects
1819 or parcels within projects which should be acquired in fee simple
1820 or in less than fee simple.

1821 (h) An identification of those lands being purchased for
1822 conservation purposes.

1823 (i) A management policy statement for the project and a
1824 management prospectus pursuant to s. 259.032(9)(d).

1825 (j) An estimate of land value based on county tax assessed
1826 values.

1827 (k) A map delineating project boundaries.

1828 (l) An assessment of the project's ecological value,
1829 outdoor recreational value, forest resources, wildlife resources,
1830 ownership pattern, utilization, and location.



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1831 (m) A discussion of whether alternative uses are proposed
1832 for the property and what those uses are.

1833 (n) A designation of the management agency or agencies.

1834 (16) All proposals for projects pursuant to paragraph
1835 (3)(b) or subsection (20) shall be implemented only if adopted by
1836 the Acquisition and Restoration Council and approved by the board
1837 of trustees. The council shall consider and evaluate in writing
1838 the merits and demerits of each project that is proposed for
1839 Florida Forever funding and each proposed addition to the
1840 Conservation and Recreation Lands list program. The council shall
1841 ensure that each proposed project will meet a stated public
1842 purpose for the restoration, conservation, or preservation of
1843 environmentally sensitive lands and water areas or for providing
1844 outdoor recreational opportunities and that each proposed
1845 addition to the Conservation and Recreation Lands list will meet
1846 the public purposes under s. 259.032(3) and, when applicable, s.
1847 259.101(4). The council also shall determine whether the project
1848 or addition conforms, where applicable, with the comprehensive
1849 plan developed pursuant to s. 259.04(1)(a), the comprehensive
1850 multipurpose outdoor recreation plan developed pursuant to s.
1851 375.021, the state lands management plan adopted pursuant to s.
1852 253.03(7), the water resources work plans developed pursuant to
1853 s. 373.199, and the provisions of this section.

1854 (17)(a) The Board of Trustees of the Internal Improvement
1855 Trust Fund, or, in the case of water management district lands,
1856 the owning water management district, may authorize the granting
1857 of a lease, easement, or license for the use of certain lands
1858 acquired pursuant to this section, for certain uses that are
1859 determined by the appropriate board to be compatible with the
1860 resource values of and management objectives for such lands.



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1861 (b) Any existing lease, easement, or license acquired for
1862 incidental public or private use on, under, or across any lands
1863 acquired pursuant to this section shall be presumed to be
1864 compatible with the purposes for which such lands were acquired.

1865 (c) Notwithstanding the provisions of paragraph (a), no
1866 such lease, easement, or license shall be entered into by the
1867 Department of Environmental Protection or other appropriate state
1868 agency if the granting of such lease, easement, or license would
1869 adversely affect the exclusion of the interest on any revenue
1870 bonds issued to fund the acquisition of the affected lands from
1871 gross income for federal income tax purposes, pursuant to
1872 Internal Revenue Service regulations.

1873 (18) The Acquisition and Restoration Council shall
1874 recommend adoption of rules by the board of trustees necessary to
1875 implement the provisions of this section relating to:
1876 solicitation, scoring, selecting, and ranking of Florida Forever
1877 project proposals; disposing of or leasing lands or water areas
1878 selected for funding through the Florida Forever program; and the
1879 process of reviewing and recommending for approval or rejection
1880 the land management plans associated with publicly owned
1881 properties. Rules promulgated pursuant to this subsection shall
1882 be submitted to the President of the Senate and the Speaker of
1883 the House of Representatives, for review by the Legislature, no
1884 later than 30 days prior to the 2010 ~~2001~~ Regular Session and
1885 shall become effective only after legislative review. In its
1886 review, the Legislature may reject, modify, or take no action
1887 relative to such rules. The board of trustees shall conform such
1888 rules to changes made by the Legislature, or, if no action was
1889 taken by the Legislature, such rules shall become effective.

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1890 (19) Lands listed as projects for acquisition under the
1891 Florida Forever program may be managed for conservation pursuant
1892 to s. 259.032, on an interim basis by a private party in
1893 anticipation of a state purchase in accordance with a contractual
1894 arrangement between the acquiring agency and the private party
1895 that may include management service contracts, leases, cost-share
1896 arrangements, or resource conservation agreements. Lands
1897 designated as eligible under this subsection shall be managed to
1898 maintain or enhance the resources the state is seeking to protect
1899 by acquiring the land and to accelerate public access to the
1900 lands as soon as practicable. Funding for these contractual
1901 arrangements may originate from the documentary stamp tax revenue
1902 deposited into the Conservation and Recreation Lands Trust Fund
1903 and Water Management Lands Trust Fund. No more than 5 percent of
1904 funds allocated under the trust funds shall be expended for this
1905 purpose.

1906 ~~(20) The Acquisition and Restoration Council, as successors~~
1907 ~~to the Land Acquisition and Management Advisory Council, may~~
1908 ~~amend existing Conservation and Recreation Lands projects and add~~
1909 ~~to or delete from the 2000 Conservation and Recreation Lands list~~
1910 ~~until funding for the Conservation and Recreation Lands program~~
1911 ~~has been expended. The amendments to the 2000 Conservation and~~
1912 ~~Recreation Lands list will be reported to the board of trustees~~
1913 ~~in conjunction with the council's report developed pursuant to~~
1914 ~~subsection (15).~~

1915 Section 12. Subsection (1) of section 259.1051, Florida
1916 Statutes, is amended to read:

1917 259.1051 Florida Forever Trust Fund.--

1918 (1) There is created the Florida Forever Trust Fund to
1919 carry out the purposes of ss. 259.032, 259.105, 259.1052, and



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1920 375.031. The Florida Forever Trust Fund shall be held and
 1921 administered by the Department of Environmental Protection.
 1922 Proceeds from the sale of bonds, except proceeds of refunding
 1923 bonds, issued under s. 215.618 and payable from moneys
 1924 transferred to the Land Acquisition Trust Fund under s.
 1925 201.15(1)(a), not to exceed \$5.3 ~~\$3~~ billion, must be deposited
 1926 into this trust fund to be distributed and used as provided in s.
 1927 259.105(3). The bond resolution adopted by the governing board of
 1928 the Division of Bond Finance of the State Board of Administration
 1929 may provide for additional provisions that govern the
 1930 disbursement of the bond proceeds.

1931 Section 13. Subsection (3) of section 375.075, Florida
 1932 Statutes, is amended to read:

1933 375.075 Outdoor recreation; financial assistance to local
 1934 governments.--

1935 (3) A local government may submit up to three ~~two~~ grant
 1936 applications during each application period announced by the
 1937 department. However, a local government may not have more than
 1938 four ~~three~~ active projects expending grant funds during any state
 1939 fiscal year. The maximum project grant for each project
 1940 application may not exceed \$500,000 ~~\$200,000~~ in state funds.

1941 Section 14. This act shall take effect July 1, 2008.

1943 ===== T I T L E A M E N D M E N T =====

1944 And the title is amended as follows:

1945 Delete everything before the enacting clause
 1946 and insert:

1947 A bill to be entitled
 1948 An act relating to land acquisition and management;
 1949 amending s. 201.15, F.S.; distributing taxes collected

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1950 debt service; extending the deadline of Florida Forever
1951 bond retirement; amending s. 215.618, F.S.; authorizing
1952 the distribution of bonds for acquisition of conservation
1953 lands; increasing the bonding authority for issuance of
1954 Florida Forever bonds; directing the Legislature to
1955 complete a debt analysis prior to the issuance of any such
1956 bonds by a date certain; directing the Legislature to
1957 complete an analysis on potential revenue sources by a
1958 date certain; amending s. 253.025, F.S.; requiring
1959 appraisals of land under certain circumstances; deleting
1960 provisions that allow appraisers to reject an appraisal
1961 report under certain conditions; providing authority to
1962 the Board of Trustees of the Internal Improvement Trust
1963 Fund to waive sales history requirements under certain
1964 conditions; amending s. 253.0325, F.S.; requiring the
1965 Department of Environmental Protection to modernize
1966 information systems; requiring a annual report of state
1967 lands acquired by each recipient of funds; amending s.
1968 253.034, F.S.; determining which state-owned lands may be
1969 surplus; requiring additional appraisals under certain
1970 conditions; providing authority to the Fish and Wildlife
1971 Conservation Commission to manage lands for imperiled
1972 species under certain conditions; amending s. 253.111,
1973 F.S.; requiring notice requirements of the sale of state-
1974 owned lands; amending s. 253.82, F.S.; determining
1975 requirements of sale of nonsovereignty lands owned by the
1976 Board of Trustees of the Internal Improvement Trust Fund;
1977 deleting appraisal limitations; amending s. 259.032, F.S.;
1978 requiring priority purchase of conservation and
1979 recreational lands with high concentrations of population;

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1980 | authorizing payment in lieu of taxes to purchase
1981 | conservation lands; establishing a minimum for funds
1982 | expended for the management of state-owned land; deleting
1983 | obsolete provisions; amending s. 259.035, F.S.;
1984 | authorizing the Acquisition and Restoration Council;
1985 | establishing membership criteria; directing the council to
1986 | establish specific criteria and numeric performance
1987 | measures for the acquisition of land; amending s. 259.041,
1988 | F.S.; relating to the acquisition of state-owned lands for
1989 | preservation, conservation, and recreation purposes;
1990 | requiring Legislative approval for acquisitions by the
1991 | state exceeding a certain amount; increasing appraisal
1992 | thresholds; requiring specific language be included on
1993 | option contracts; amending s. 259.105, F.S.; relating to
1994 | the Florida Forever Act; providing Legislative intent;
1995 | provides for funds to be deposited in the Florida Forever
1996 | Trust Fund; requiring bonded monies be spent for capital
1997 | improvements under certain conditions; provides for the
1998 | expenditure of funds for conservation and agricultural
1999 | easements under certain conditions; provides for the
2000 | inclusion of carbon sequestration as a multiple use;
2001 | provides ruling making authority for the board; provides
2002 | for the reversion of lands to the board under certain
2003 | conditions; requires an annual workplan be developed by
2004 | the council; provides allowances for alternatives to fee-
2005 | simple purchases; deletes obsolete language; amending s.
2006 | 259.1051, F.S.; authorizing the Florida Forever Trust
2007 | fund; increasing bonding authority; amending s. 375.075,
2008 | F.S.; providing financial assistance to local governments



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2009
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for outdoor recreation; increasing application and grant
limitations; providing an effective date.