

By Senator Hays

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1                   A bill to be entitled  
2       An act relating to trust funds; amending s. 379.204,  
3       F.S.; providing that the Fish and Wildlife  
4       Conservation Commission may return certain cash  
5       balances transferred for cash flow needs when they are  
6       no longer needed for that purpose; amending s.  
7       379.207, F.S.; deleting a restriction on an  
8       expenditure from the Lifetime Fish and Wildlife Trust  
9       Fund; amending s. 379.212, F.S.; renaming the Fish and  
10      Wildlife Habitat Program as the Land Acquisition Trust  
11      Fund; creating s. 379.213, F.S.; providing for the  
12      administration and funding of the Save the Manatee  
13      Trust Fund; creating s. 379.214, F.S.; providing for  
14      the administration and funding of the Invasive Plant  
15      Control Trust Fund; providing an effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

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19       Section 1. Subsection (3) of section 379.204, Florida  
20      Statutes, is amended to read:

21       379.204 Federal Grants Trust Fund.—

22       (3) The commission may transfer the cash balance  
23      originating from hunting and fishing license fees from other  
24      trust funds into the Federal Grants Trust Fund for the purpose  
25      of supporting cash flow needs and may return the cash balance to  
26      the originating trust funds when no longer needed for cash flow  
27      purposes. ~~This subsection expires July 1, 2012.~~

28       Section 2. Paragraph (d) of subsection (3) of section  
29      379.207, Florida Statutes, is amended, and paragraphs (e) and

11-00337A-13

2013212

30 (f) of that subsection are redesignated as paragraphs (d) and  
31 (e), respectively, to read:

32 379.207 Lifetime Fish and Wildlife Trust Fund.—

33 (3) The fund is declared to constitute a special trust  
34 derived from a contractual relationship between the state and  
35 the members of the public whose investments contribute to the  
36 fund. In recognition of such special trust, the following  
37 limitations and restrictions are placed on expenditures from the  
38 funds:

39 ~~(d) No expenditures or disbursements from the interest~~  
40 ~~income derived from the sale of lifetime licenses shall be made~~  
41 ~~for any purpose until the respective holders of such licenses~~  
42 ~~attain the age of 16 years. The Fish and Wildlife Conservation~~  
43 ~~Commission as administrator of the fund shall determine~~  
44 ~~actuarially on an annual basis the amounts of interest income~~  
45 ~~within the fund which may be disbursed pursuant to this~~  
46 ~~paragraph. The director shall cause deposits of proceeds from~~  
47 ~~the sale of lifetime licenses to be identifiable by the ages of~~  
48 ~~the license recipients.~~

49 Section 3. Section 379.212, Florida Statutes, is amended to  
50 read:

51 379.212 Land Acquisition Trust Fund ~~Fish and Wildlife~~  
52 ~~Habitat Program.~~—

53 (1) (a) There is established within the Fish and Wildlife  
54 Conservation Commission the Land Acquisition Trust Fund ~~Fish and~~  
55 ~~Wildlife Habitat Program~~ for the purpose of acquiring, assisting  
56 other agencies or local governments in acquiring, or managing  
57 lands important to the conservation of fish and wildlife.

58 (b) The Fish and Wildlife Conservation Commission or its

11-00337A-13

2013212

59 designee shall manage such lands for the primary purpose of  
60 maintaining and enhancing their habitat value for fish and  
61 wildlife. Other uses may be allowed that are not contrary to  
62 this purpose.

63 (c) Where acquisition pursuant to this section will result  
64 in state ownership of land, title shall be vested in the Board  
65 of Trustees of the Internal Improvement Trust Fund as required  
66 in chapter 253. Land acquisition pursuant to this section shall  
67 be voluntary, negotiated acquisition and, where title is to be  
68 vested in the Board of Trustees of the Internal Improvement  
69 Trust Fund, is subject to the acquisition procedures of s.  
70 253.025.

71 (d) Acquisition costs shall include purchase prices and  
72 costs and fees associated with title work, surveys, and  
73 appraisals required to complete an acquisition.

74 (2) Moneys which may be deposited into the Land Acquisition  
75 Trust Fund for the purposes of this section may include, but not  
76 be limited to, donations, grants, development-of-regional-impact  
77 wildlife mitigation contributions, or legislative  
78 appropriations. Preservation 2000 acquisition moneys and  
79 Conservation and Recreation Lands management moneys shall not be  
80 deposited into this fund.

81 Section 4. Section 379.213, Florida Statutes, is created to  
82 read:

83 379.213 Save the Manatee Trust Fund.—

84 (1) The Save the Manatee Trust Fund shall be administered  
85 by the Fish and Wildlife Conservation Commission.

86 (2) Funds to be credited to and uses of the trust fund  
87 shall be administered in accordance with the provisions of ss.

11-00337A-13

2013212

88 320.08058, 328.66, 328.72, 328.74, 328.76, and 379.2431. The  
89 Fish and Wildlife Conservation Commission may receive donations  
90 for deposit into the Save the Manatee Trust Fund.

91 (3) Notwithstanding the provisions of s. 216.301 and  
92 pursuant to s. 216.351, any balance in the trust fund at the end  
93 of any fiscal year shall remain in the trust fund at the end of  
94 the year and shall be available for carrying out the purposes of  
95 the trust fund.

96 Section 5. Section 379.214, Florida Statutes, is created to  
97 read:

98 379.214 Invasive Plant Control Trust Fund.-

99 (1) The Invasive Plant Control Trust Fund shall be  
100 administered by the Fish and Wildlife Conservation Commission.

101 (2) Funds to be credited to and uses of the trust fund  
102 shall be administered in accordance with the provisions of ss.  
103 201.15, 206.606, 328.76, 369.20, 369.22, 369.252, and 379.502.

104 (3) Notwithstanding the provisions of s. 216.301 and  
105 pursuant to s. 216.351, any balance in the trust fund at the end  
106 of any fiscal year shall remain in the trust fund at the end of  
107 the year and shall be available for carrying out the purposes of  
108 the trust fund.

109 Section 6. This act shall take effect July 1, 2013.