

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
 ADOPTED AS AMENDED (Y/N)
 ADOPTED W/O OBJECTION (Y/N)
 FAILED TO ADOPT (Y/N)
 WITHDRAWN (Y/N)
 OTHER

1 Committee/Subcommittee hearing bill: Agriculture & Natural
 2 Resources Subcommittee
 3 Representative Smith offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

8 Section 1. Subsection (4) is added to section 253.42, Florida
 9 Statutes, to read:

10 253.42 Board of trustees may exchange lands.—The
 11 provisions of this section apply to all lands owned by, vested
 12 in, or titled in the name of the board whether the lands were
 13 acquired by the state as a purchase, or through gift, donation,
 14 or any other conveyance for which no consideration was paid.

15 (4) (a) A private individual or a private or public
 16 corporation with privately held land contiguous to state-owned
 17 land may submit a request directly to the board to exchange
 18 state-owned land for a permanent conservation easement over
 19 privately held land. This subsection does not apply to any
 20 state-owned sovereign submerged lands.

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21 (b) The exchange may be in an amount of state-owned land
22 equal in size to the monetary equivalent of privately held land
23 that the individual or private or public corporation is willing
24 to put into a permanent conservation easement, not to exceed
25 1280 acres per exchange.

26 (c) The board shall maintain a permanent conservation
27 easement over the state-owned land being exchanged under this
28 subsection that is similar to the permanent conservation
29 easement that is being established over the privately owned
30 land.

31 (d) The board shall consider such request within 180 days
32 after receipt and may approve the request only if:

33 1. The privately held land is surrounded by state-owned
34 land on at least 30 percent of its perimeter, and the exchange
35 does not create an inholding.

36 2. The board makes an affirmative determination that the
37 property is no longer needed for conservation purposes pursuant
38 to Article X, Section 18 of the Florida Constitution.

39 3. The approval does not result in the board, department,
40 Department of Agriculture and Consumer Services, Fish and
41 Wildlife Conservation Commission, or any of the water management
42 districts violating the terms of a preexisting lease agreement.

43 4. The exchange of privately held land and state-owned
44 land pursuant to paragraph (a) will not result in a net loss of
45 conservation value.

46 5. Such request is approved by a two-thirds vote of the
47 board.

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48 (e) Low-impact operations such as grazing, forest
49 management, prescribed burning, and wildlife management
50 practices shall be allowed on such land. Special consideration
51 shall be given to a request submitted pursuant to this
52 subsection that maintains public access for any recreational
53 purposes allowed on the state-owned land at the time the request
54 is submitted to the board.

55 (f) If any land uses or activities occur on the state-owned
56 land being transferred to an individual or public or private
57 corporation that are not authorized under the permanent
58 conservation easement, then the land rights of the state and the
59 individual or private or public corporation shall revert back to
60 the condition prior to the initial exchange, unless the private
61 individual or public or private corporation ends the
62 unauthorized use or activity and corrects any adverse impacts to
63 the property resulting from such use or activity to the
64 satisfaction of the department within 60 days.

65 (g) Lands that are exchanged pursuant to this subsection
66 are subject to inspection by the department to ensure compliance
67 with the terms of all permanent conservation easements
68 constituting the exchange.

69 Section 2. This act shall take effect July 1, 2013.

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75 **T I T L E A M E N D M E N T**

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76 Remove everything before the enacting clause and insert:
77 An act relating to state lands; amending s. 253.42,
78 F.S.; authorizing individuals and corporations to
79 submit requests to the Board of Trustees of the
80 Internal Improvement Trust Fund to exchange state-
81 owned land for conservation easements over privately
82 held land; providing criteria for consideration of
83 such requests; authorizing certain operations on such
84 lands; providing an effective date.