



267346

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2015	.	
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The Committee on Appropriations (Hays) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. (1) The following trust funds within the  
Department of Environmental Protection are terminated:

(a) The Florida Preservation 2000 Trust Fund, FLAIR number  
37-2-332.

(b) The Florida Communities Trust Fund, FLAIR number 37-2-  
244.



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11 (c) The Ecosystem Management and Restoration Trust Fund,  
12 FLAIR number 37-2-193.

13 (d) The Water Management Lands Trust Fund, FLAIR number 37-  
14 2-776.

15 (e) The Conservation and Recreation Lands Trust Fund, FLAIR  
16 number 37-2-131.

17 (2) (a) All current balances remaining in the Florida  
18 Communities Trust Fund and the Florida Preservation 2000 Trust  
19 Fund shall be transferred to the Florida Forever Trust Fund,  
20 FLAIR number 37-2-348.

21 (b) All current balances remaining in the Ecosystem  
22 Management and Restoration Trust Fund, the Water Management  
23 Lands Trust Fund, and the Conservation and Recreation Lands  
24 Trust Fund shall be transferred to the Water Quality Assurance  
25 Trust Fund, FLAIR number 37-2-780.

26 (3) The Department of Environmental Protection shall pay  
27 all outstanding debts or obligations of the terminated trust  
28 funds as required, and the Chief Financial Officer shall close  
29 out and remove the terminated trust funds from the various state  
30 accounting systems using generally accepted accounting  
31 principles concerning warrants outstanding, assets, and  
32 liabilities.

33 Section 2. (1) The Conservation and Recreation Lands  
34 Program Trust Fund, FLAIR number 42-2-931, within the Department  
35 of Agriculture and Consumer Services is terminated.

36 (2) The Department of Agriculture and Consumer Services  
37 shall pay any outstanding debts or obligations of the terminated  
38 trust fund as soon as practicable, and the Chief Financial  
39 Officer shall close out and remove that terminated trust fund



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40 from the various state accounting systems using generally  
41 accepted accounting principles concerning warrants outstanding,  
42 assets, and liabilities.

43 Section 3. (1) The Conservation and Recreation Lands  
44 Program Trust Fund, FLAIR number 72-2-931, within the Fish and  
45 Wildlife Conservation Commission is terminated.

46 (2) The Fish and Wildlife Conservation Commission shall pay  
47 any outstanding debts or obligations of the terminated trust  
48 fund as soon as practicable, and the Chief Financial Officer  
49 shall close out and remove that terminated trust fund from the  
50 various state accounting systems using generally accepted  
51 accounting principles concerning warrants outstanding, assets,  
52 and liabilities.

53 Section 4. Paragraph (e) is added to subsection (3) of  
54 section 17.61, Florida Statutes, to read:

55 17.61 Chief Financial Officer; powers and duties in the  
56 investment of certain funds.-

57 (3)

58 (e) Moneys in any land acquisition trust fund created or  
59 designated to receive funds under s. 28, Art. X of the State  
60 Constitution may not be invested as provided in this section,  
61 but shall be retained in those trust funds, with the interest  
62 appropriated to the General Revenue Fund, as provided in s.  
63 17.57.

64 Section 5. Section 161.05301, Florida Statutes, is  
65 repealed.

66 Section 6. Subsection (3) of section 161.054, Florida  
67 Statutes, is amended to read:

68 161.054 Administrative fines; liability for damage; liens.-



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69           (3) The imposition of a fine or an award of damages  
70 pursuant to this section shall create a lien upon the real and  
71 personal property of the violator, enforceable by the department  
72 as are statutory liens under chapter 85. The proceeds of such  
73 fines and awards of damages shall be deposited in the Florida  
74 Coastal Protection Ecosystem Management and Restoration Trust  
75 Fund.

76           Section 7. Subsections (1) and (3) of section 161.091,  
77 Florida Statutes, are amended to read:

78           161.091 Beach management; funding; repair and maintenance  
79 strategy.—

80           (1) Subject to such appropriations as the Legislature may  
81 make therefor from time to time, disbursements from the Land  
82 Acquisition Ecosystem Management and Restoration Trust Fund may  
83 be made by the department in order to carry out the proper state  
84 responsibilities in a comprehensive, long-range, statewide beach  
85 management plan for erosion control; beach preservation,  
86 restoration, and nourishment; and storm and hurricane protection  
87 and other activities authorized for beaches and shores pursuant  
88 to s. 28, Art. X of the State Constitution. Legislative intent  
89 in appropriating such funds is for the implementation of those  
90 projects that contribute most significantly to addressing the  
91 state's beach erosion problems.

92           (3) In accordance with the intent expressed in s. 161.088  
93 and the legislative finding that erosion of the beaches of this  
94 state is detrimental to tourism, the state's major industry,  
95 further exposes the state's highly developed coastline to severe  
96 storm damage, and threatens beach-related jobs, which, if not  
97 stopped, may significantly reduce state sales tax revenues,



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98 funds deposited into the State Treasury to the credit of the  
99 Land Acquisition Ecosystem Management and Restoration Trust  
100 Fund, ~~in the annual amounts provided in s. 201.15,~~ shall be  
101 used, ~~for a period of not less than 15 years,~~ to fund the  
102 development, implementation, and administration of the state's  
103 beach management plan, as provided in ss. 161.091-161.212 and as  
104 authorized in s. 28, Art. X of the State Constitution, ~~prior to~~  
105 ~~the use of such funds deposited pursuant to s. 201.15 in that~~  
106 ~~trust fund for any other purpose.~~

107 Section 8. Section 201.0205, Florida Statutes, is amended  
108 to read:

109 201.0205 Counties that have implemented ch. 83-220;  
110 inapplicability of 10-cent tax increase by s. 2, ch. 92-317,  
111 Laws of Florida.—The 10-cent tax increase in the documentary  
112 stamp tax levied by s. 2, chapter 92-317, does not apply to  
113 deeds and other taxable instruments relating to real property  
114 located in any county that has implemented the provisions of  
115 chapter 83-220, Laws of Florida, as amended by chapters 84-270,  
116 86-152, and 89-252, Laws of Florida. Each such county and each  
117 eligible jurisdiction within such county may ~~shall not be~~  
118 ~~eligible to~~ participate in programs funded pursuant to s.  
119 201.15(4)(c) ~~s. 201.15(9)~~. However, each such county and each  
120 eligible jurisdiction within such county may ~~shall be eligible~~  
121 ~~to~~ participate in programs funded pursuant to s. 201.15(4)(d) ~~s.~~  
122 ~~201.15(10)~~.

123 Section 9. Section 201.15, Florida Statutes, is amended to  
124 read:

125 201.15 Distribution of taxes collected.—All taxes collected  
126 under this chapter, except taxes distributed to the Land



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127 Acquisition Trust Fund pursuant to subsections (1) and (2), are  
128 subject to the service charge imposed in s. 215.20(1). Before  
129 distribution pursuant to ~~under~~ this section, the Department of  
130 Revenue shall deduct amounts necessary to pay the costs of the  
131 collection and enforcement of the tax levied by this chapter.  
132 The ~~Such~~ costs and ~~the~~ service charge may not be levied against  
133 any portion of taxes pledged to debt service on bonds to the  
134 extent that the costs and service charge are required to pay any  
135 amounts relating to the bonds. ~~After distributions are made~~  
136 ~~pursuant to subsection (1),~~ All of the costs of the collection  
137 and enforcement of the tax levied by this chapter and the  
138 service charge shall be available and transferred to the extent  
139 necessary to pay debt service and any other amounts payable with  
140 respect to bonds authorized before January 1, 2015, secured by  
141 revenues distributed pursuant to this section ~~subsection (1)~~.  
142 All taxes remaining after deduction of costs ~~and the service~~  
143 ~~charge~~ shall be distributed as follows:

144 (1) All of the remaining taxes collected under this chapter  
145 are pledged and shall be first made available to make payments  
146 on bonds issued pursuant to s. 215.618 or s. 215.619, as  
147 provided under paragraphs (3) (a) and (b), or on any other bonds  
148 authorized to be issued on a parity basis with such bonds.  
149 Amounts necessary to make such payments shall be deposited in  
150 the Land Acquisition Trust Fund.

151 (2) If the amounts deposited pursuant to subsection (1) are  
152 less than 33 percent of all taxes collected after first  
153 deducting the costs of collection, an amount equal to 33 percent  
154 of all taxes collected after first deducting the costs of  
155 collection, minus the amounts deposited pursuant to subsection



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156 (1), shall be deposited in the Land Acquisition Trust Fund.  
157 (3) Amounts on deposit in the Land Acquisition Trust Fund  
158 ~~Sixty-three and thirty-one hundredths percent of the remaining~~  
159 ~~taxes shall be used in for the following order purposes:~~  
160 (a) Payment of Amounts necessary to pay the debt service  
161 ~~on, or funding of fund~~ debt service reserve funds, rebate  
162 obligations, or other amounts payable with respect to  
163 ~~Preservation 2000 bonds issued pursuant to s. 375.051 and~~  
164 Florida Forever bonds issued pursuant to s. 215.618, ~~shall be~~  
165 ~~paid into the State Treasury to the credit of the Land~~  
166 ~~Acquisition Trust Fund to be used for such purposes.~~ The amount  
167 used for such purposes transferred to the Land Acquisition Trust  
168 ~~Fund~~ may not exceed \$300 million in each fiscal year ~~1999-2000~~  
169 ~~and thereafter for Preservation 2000 bonds and bonds issued to~~  
170 ~~refund Preservation 2000 bonds, and \$300 million in fiscal year~~  
171 ~~2000-2001 and thereafter for Florida Forever bonds.~~ The annual  
172 ~~amount transferred to the Land Acquisition Trust Fund for~~  
173 ~~Florida Forever bonds may not exceed \$30 million in the first~~  
174 ~~fiscal year in which bonds are issued.~~ The limitation on the  
175 ~~amount transferred shall be increased by an additional \$30~~  
176 ~~million in each subsequent fiscal year, but may not exceed a~~  
177 ~~total of \$300 million in any fiscal year for all bonds issued.~~  
178 It is the intent of the Legislature that all bonds issued to  
179 fund the Florida Forever Act be retired by December 31, 2040.  
180 Except for bonds issued to refund previously issued bonds, no  
181 series of bonds may be issued pursuant to this paragraph unless  
182 such bonds are approved and the debt service for the remainder  
183 of the fiscal year in which the bonds are issued is specifically  
184 appropriated in the General Appropriations Act. ~~For purposes of~~



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185 ~~refunding Preservation 2000 bonds, amounts designated within~~  
186 ~~this section for Preservation 2000 and Florida Forever bonds may~~  
187 ~~be transferred between the two programs to the extent provided~~  
188 ~~for in the documents authorizing the issuance of the bonds. The~~  
189 ~~Preservation 2000 bonds and Florida Forever bonds are equally~~  
190 ~~and ratably secured by moneys distributable to the Land~~  
191 ~~Acquisition Trust Fund pursuant to this section, except as~~  
192 ~~specifically provided otherwise by the documents authorizing the~~  
193 ~~issuance of the bonds. Moneys transferred to the Land~~  
194 ~~Acquisition Trust Fund pursuant to this paragraph, or earnings~~  
195 ~~thereon, may not be used or made available to pay debt service~~  
196 ~~on the Save Our Coast revenue bonds.~~

197 (b) Payment ~~Moneys shall be paid~~ into the State Treasury to  
198 the credit of the Save Our Everglades Trust Fund in amounts  
199 necessary to pay debt service, provide reserves, and pay rebate  
200 obligations and other amounts due with respect to bonds issued  
201 pursuant to ~~under~~ s. 215.619. Taxes distributed under paragraph  
202 (a) and this paragraph must be collectively distributed on a pro  
203 rata basis when the available moneys under this subsection are  
204 not sufficient to cover the amounts required under paragraph (a)  
205 and this paragraph.

206  
207 Bonds issued pursuant to s. 215.618 or s. 215.619 are equally  
208 and ratably secured by moneys distributable to the Land  
209 Acquisition Trust Fund.

210 (4) ~~(e)~~ After the required distributions to the Land  
211 Acquisition Trust Fund pursuant to subsections (1) and (2) and  
212 deduction of the service charge imposed pursuant to s. 215.20(1)  
213 ~~payments under paragraphs (a) and (b),~~ the remainder shall be





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214 distributed as follows ~~paid into the State Treasury to the~~  
215 ~~credit of:~~

216 ~~(a)1. The State Transportation Trust Fund in the Department~~  
217 ~~of Transportation in the amount of The lesser of 24.18442 ~~38.2~~~~  
218 ~~percent of the remainder or \$541.75 million in each fiscal year~~  
219 ~~shall be paid into the State Treasury to the credit of the State~~  
220 ~~Transportation Trust Fund. Out Of such funds, the first \$50~~  
221 ~~million for the 2012-2013 fiscal year; \$65 million for the 2013-~~  
222 ~~2014 fiscal year; and \$75 million for each ~~the 2014-2015~~ fiscal~~  
223 ~~year and all subsequent years, shall be transferred to the State~~  
224 ~~Economic Enhancement and Development Trust Fund within the~~  
225 ~~Department of Economic Opportunity. Notwithstanding any other~~  
226 ~~law, the remaining amount credited to the State Transportation~~  
227 ~~Trust Fund shall remainder is to be used for the following~~  
228 ~~specified purposes, notwithstanding any other law to the~~  
229 ~~contrary:~~

230 ~~1.a. For the purposes of Capital funding for the New Starts~~  
231 ~~Transit Program, authorized by Title 49, U.S.C. s. 5309 and~~  
232 ~~specified in s. 341.051, in the amount of 10 percent of the~~  
233 ~~these funds;~~

234 ~~2.b. For the purposes of The Small County Outreach Program~~  
235 ~~specified in s. 339.2818, in the amount of 10 ~~5~~ percent of the~~  
236 ~~these funds. Effective July 1, 2014, the percentage allocated~~  
237 ~~under this sub-subparagraph shall be increased to 10 percent;~~

238 ~~3.c. For the purposes of The Strategic Intermodal System~~  
239 ~~specified in ss. 339.61, 339.62, 339.63, and 339.64, in the~~  
240 ~~amount of 75 percent of the ~~these~~ funds after deduction of the~~  
241 ~~payments required pursuant to subparagraphs 1. and 2. allocating~~  
242 ~~for the New Starts Transit Program described in sub-subparagraph~~



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243 ~~a. and the Small County Outreach Program described in sub-~~  
244 ~~subparagraph b.; and~~

245 ~~4.d. For the purposes of The Transportation Regional~~  
246 ~~Incentive Program specified in s. 339.2819, in the amount of 25~~  
247 ~~percent of the these funds after deduction of the payments~~  
248 ~~required pursuant to subparagraphs 1. and 2. allocating for the~~  
249 ~~New Starts Transit Program described in sub-subparagraph a. and~~  
250 ~~the Small County Outreach Program described in sub-subparagraph~~  
251 ~~b. Effective July 1, 2014, The first \$60 million of the funds~~  
252 ~~allocated pursuant to this subparagraph ~~sub-subparagraph~~ shall~~  
253 ~~be allocated annually to the Florida Rail Enterprise for the~~  
254 ~~purposes established in s. 341.303(5).~~

255 ~~(b)2. The Grants and Donations Trust Fund in the Department~~  
256 ~~of Economic Opportunity in the amount of The lesser of .1456 ~~.23~~~~  
257 ~~percent of the remainder or \$3.25 million in each fiscal year~~  
258 ~~shall be paid into the State Treasury to the credit of the~~  
259 ~~Grants and Donations Trust Fund in the Department of Economic~~  
260 ~~Opportunity to fund technical assistance to local governments.~~

261 ~~3. The Ecosystem Management and Restoration Trust Fund in~~  
262 ~~the amount of the lesser of 2.12 percent of the remainder or \$30~~  
263 ~~million in each fiscal year, to be used for the preservation and~~  
264 ~~repair of the state's beaches as provided in ss. 161.091-~~  
265 ~~161.212.~~

266 ~~4. General Inspection Trust Fund in the amount of the~~  
267 ~~lesser of .02 percent of the remainder or \$300,000 in each~~  
268 ~~fiscal year to be used to fund oyster management and restoration~~  
269 ~~programs as provided in s. 379.362(3).~~

270  
271 Moneys distributed pursuant to paragraphs (a) and (b) ~~this~~



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272 ~~paragraph~~ may not be pledged for debt service unless such pledge  
273 is approved by referendum of the voters.

274 ~~(d) After the required payments under paragraphs (a), (b),~~  
275 ~~and (c), the remainder shall be paid into the State Treasury to~~  
276 ~~the credit of the General Revenue Fund to be used and expended~~  
277 ~~for the purposes for which the General Revenue Fund was created~~  
278 ~~and exists by law.~~

279 ~~(2) The lesser of 7.56 percent of the remaining taxes or~~  
280 ~~\$84.9 million in each fiscal year shall be distributed as~~  
281 ~~follows:~~

282 ~~(a) Six million and three hundred thousand dollars shall be~~  
283 ~~paid into the State Treasury to the credit of the General~~  
284 ~~Revenue Fund.~~

285 ~~(b) The remainder shall be paid into the State Treasury to~~  
286 ~~the credit of the Land Acquisition Trust Fund. Sums deposited in~~  
287 ~~the fund pursuant to this subsection may be used for any purpose~~  
288 ~~for which funds deposited in the Land Acquisition Trust Fund may~~  
289 ~~lawfully be used.~~

290 ~~(3) (a) The lesser of 1.94 percent of the remaining taxes or~~  
291 ~~\$26 million in each fiscal year shall be distributed in the~~  
292 ~~following order:~~

293 ~~1. Amounts necessary to pay debt service or to fund debt~~  
294 ~~service reserve funds, rebate obligations, or other amounts~~  
295 ~~payable with respect to bonds issued before February 1, 2009,~~  
296 ~~pursuant to this subsection shall be paid into the State~~  
297 ~~Treasury to the credit of the Land Acquisition Trust Fund.~~

298 ~~2. Eleven million dollars shall be paid into the State~~  
299 ~~Treasury to the credit of the General Revenue Fund.~~

300 ~~3. The remainder shall be paid into the State Treasury to~~



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301 ~~the credit of the Land Acquisition Trust Fund.~~

302 ~~(b) Moneys deposited in the Land Acquisition Trust Fund~~  
303 ~~pursuant to this subsection shall be used to acquire coastal~~  
304 ~~lands or to pay debt service on bonds issued to acquire coastal~~  
305 ~~lands and to develop and manage lands acquired with moneys from~~  
306 ~~the trust fund.~~

307 ~~(4) The lesser of 4.2 percent of the remaining taxes or~~  
308 ~~\$60.5 million in each fiscal year shall be paid into the State~~  
309 ~~Treasury to the credit of the Water Management Lands Trust Fund.~~  
310 ~~Sums deposited in that fund may be used for any purpose~~  
311 ~~authorized in s. 373.59. An amount equal to the amounts~~  
312 ~~necessary to pay debt service or to fund debt service reserve~~  
313 ~~funds, rebate obligations, or other amounts payable with respect~~  
314 ~~to bonds authorized pursuant to s. 215.619(1)(a)2. and the~~  
315 ~~proviso associated with Specific Appropriation 1626A of the~~  
316 ~~2014-2015 General Appropriations Act shall be transferred~~  
317 ~~annually from the Water Management Lands Trust Fund to the~~  
318 ~~General Revenue Fund.~~

319 ~~(5) Of the remaining taxes, 3.52 percent shall be paid into~~  
320 ~~the State Treasury to the credit of the Conservation and~~  
321 ~~Recreation Lands Trust Fund to carry out the purposes set forth~~  
322 ~~in s. 259.032. Eleven and fifteen hundredths percent of the~~  
323 ~~amount credited to the Conservation and Recreation Lands Trust~~  
324 ~~Fund pursuant to this subsection shall be transferred to the~~  
325 ~~State Game Trust Fund and used for land management activities.~~

326 ~~(6) The lesser of 2.28 percent of the remaining taxes or~~  
327 ~~\$34.1 million in each fiscal year shall be paid into the State~~  
328 ~~Treasury to the credit of the Invasive Plant Control Trust Fund~~  
329 ~~to carry out the purposes set forth in ss. 369.22 and 369.252.~~



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330           ~~(7) The lesser of .5 percent of the remaining taxes or \$9.3~~  
331 ~~million in each fiscal year shall be paid into the State~~  
332 ~~Treasury to the credit of the State Game Trust Fund to be used~~  
333 ~~exclusively for the purpose of implementing the Lake Restoration~~  
334 ~~2020 Program.~~

335           ~~(8) One-half of one percent of the remaining taxes shall be~~  
336 ~~paid into the State Treasury and divided equally to the credit~~  
337 ~~of the Department of Environmental Protection Water Quality~~  
338 ~~Assurance Trust Fund to address water quality impacts associated~~  
339 ~~with nonagricultural nonpoint sources and to the credit of the~~  
340 ~~Department of Agriculture and Consumer Services General~~  
341 ~~Inspection Trust Fund to address water quality impacts~~  
342 ~~associated with agricultural nonpoint sources, respectively.~~  
343 ~~These funds shall be used for research, development,~~  
344 ~~demonstration, and implementation of suitable best management~~  
345 ~~practices or other measures used to achieve water quality~~  
346 ~~standards in surface waters and water segments identified~~  
347 ~~pursuant to ss. 303(d) of the Clean Water Act, Pub. L. No. 92-~~  
348 ~~500, 33 U.S.C. ss. 1251 et seq. Implementation of best~~  
349 ~~management practices and other measures may include cost-share~~  
350 ~~grants, technical assistance, implementation tracking, and~~  
351 ~~conservation leases or other agreements for water quality~~  
352 ~~improvement. The Department of Environmental Protection and the~~  
353 ~~Department of Agriculture and Consumer Services may adopt rules~~  
354 ~~governing the distribution of funds for implementation of best~~  
355 ~~management practices. The unobligated balance of funds received~~  
356 ~~from the distribution of taxes collected under this chapter to~~  
357 ~~address water quality impacts associated with nonagricultural~~  
358 ~~nonpoint sources must be excluded when calculating the~~



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359 ~~unobligated balance of the Water Quality Assurance Trust Fund as~~  
360 ~~it relates to the determination of the applicable excise tax~~  
361 ~~rate.~~

362 ~~(c)(9) Eleven and twenty-four ~~Seven and fifty-three~~~~  
363 ~~hundredths percent of the remainder ~~remaining taxes~~ in each~~  
364 ~~fiscal year shall be paid into the State Treasury to the credit~~  
365 ~~of the State Housing Trust Fund. ~~Out~~ Of such funds, ~~beginning in~~~~  
366 ~~the ~~2012-2013~~ fiscal year, the first \$35 million shall be~~  
367 ~~transferred annually, subject to any distribution required~~  
368 ~~pursuant to ~~under~~ subsection (5) ~~(15)~~, to the State Economic~~  
369 ~~Enhancement and Development Trust Fund within the Department of~~  
370 ~~Economic Opportunity. The remainder shall be used as follows:~~

371 ~~1.(a) Half of that amount shall be used for the purposes~~  
372 ~~for which the State Housing Trust Fund was created and exists by~~  
373 ~~law.~~

374 ~~2.(b) Half of that amount shall be paid into the State~~  
375 ~~Treasury to the credit of the Local Government Housing Trust~~  
376 ~~Fund and used for the purposes for which the Local Government~~  
377 ~~Housing Trust Fund was created and exists by law.~~

378 ~~(d)(10) Twelve and ninety-three ~~Eight and sixty-six~~~~  
379 ~~hundredths percent of the remainder ~~remaining taxes~~ in each~~  
380 ~~fiscal year shall be paid into the State Treasury to the credit~~  
381 ~~of the State Housing Trust Fund. ~~Out~~ Of such funds, ~~beginning in~~~~  
382 ~~the ~~2012-2013~~ fiscal year, the first \$40 million shall be~~  
383 ~~transferred annually, subject to any distribution required~~  
384 ~~pursuant to ~~under~~ subsection (5) ~~(15)~~, to the State Economic~~  
385 ~~Enhancement and Development Trust Fund within the Department of~~  
386 ~~Economic Opportunity. The remainder shall be used as follows:~~

387 ~~1.(a) Twelve and one-half percent of that amount shall be~~



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388 deposited into the State Housing Trust Fund and ~~be~~ expended by  
389 the Department of Economic Opportunity and ~~by~~ the Florida  
390 Housing Finance Corporation for the purposes for which the State  
391 Housing Trust Fund was created and exists by law.

392 2.~~(b)~~ Eighty-seven and one-half percent of that amount  
393 shall be distributed to the Local Government Housing Trust Fund  
394 and used for the purposes for which the Local Government Housing  
395 Trust Fund was created and exists by law. Funds from this  
396 category may also be used to provide for state and local  
397 services to assist the homeless.

398 (e) The sum of \$1.16 million in each fiscal year shall be  
399 paid into the State Treasury to the credit of the Internal  
400 Improvement Trust Fund for the purpose of making payment in lieu  
401 of taxes under s. 259.032(12)(b).

402 ~~(11) The distribution of proceeds deposited into the Water~~  
403 ~~Management Lands Trust Fund and the Conservation and Recreation~~  
404 ~~Lands Trust Fund, pursuant to subsections (4) and (5), may not~~  
405 ~~be used for land acquisition but may be used for preacquisition~~  
406 ~~costs associated with land purchases. The Legislature intends~~  
407 ~~that the Florida Forever program supplant the acquisition~~  
408 ~~programs formerly authorized under ss. 259.032 and 373.59.~~

409 ~~(12) Amounts distributed pursuant to subsections (5), (6),~~  
410 ~~(7), and (8) are subject to the payment of debt service on~~  
411 ~~outstanding Conservation and Recreation Lands revenue bonds.~~

412 ~~(13) In each fiscal year that the remaining taxes exceed~~  
413 ~~collections in the prior fiscal year, the stated maximum dollar~~  
414 ~~amounts provided in subsections (2), (4), (6), and (7) shall~~  
415 ~~each be increased by an amount equal to 10 percent of the~~  
416 ~~increase in the remaining taxes collected under this chapter~~



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417 ~~multiplied by the applicable percentage provided in those~~  
418 ~~subsections.~~

419 ~~(14) If the payment requirements in any year for bonds~~  
420 ~~outstanding on July 1, 2007, or bonds issued to refund such~~  
421 ~~bonds, exceed the limitations of this section, distributions to~~  
422 ~~the trust fund from which the bond payments are made must be~~  
423 ~~increased to the lesser of the amount needed to pay bond~~  
424 ~~obligations or the limit of the applicable percentage~~  
425 ~~distribution provided in subsections (1)-(10).~~

426 ~~(5)~~(15) Distributions to the State Housing Trust Fund  
427 pursuant to paragraphs (4) (c) and (d) ~~subsections (9) and (10)~~  
428 must be sufficient to cover amounts required to be transferred  
429 to the Florida Affordable Housing Guarantee Program's annual  
430 debt service reserve and guarantee fund pursuant to s.  
431 420.5092(6) (a) and (b) up to the amount required to be  
432 transferred to such reserve and fund based on the percentage  
433 distribution of documentary stamp tax revenues to the State  
434 Housing Trust Fund which is in effect in the 2004-2005 fiscal  
435 year.

436 ~~(16) If amounts necessary to pay debt service or any other~~  
437 ~~amounts payable with respect to Preservation 2000 bonds, Florida~~  
438 ~~Forever bonds, or Everglades Restoration bonds authorized before~~  
439 ~~January 1, 2015, exceed the amounts distributable pursuant to~~  
440 ~~subsection (1), all moneys distributable pursuant to this~~  
441 ~~section are available for such obligations and transferred in~~  
442 ~~the amounts necessary to pay such obligations when due. However,~~  
443 ~~amounts distributable pursuant to subsection (2), subsection~~  
444 ~~(3), subsection (4), subsection (5), paragraph (9) (a), or~~  
445 ~~paragraph (10) (a) are not available to pay such obligations to~~





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446 ~~the extent that such moneys are necessary to pay debt service on~~  
447 ~~bonds secured by revenues pursuant to those provisions.~~

448 ~~(6)~~ (17) After the distributions provided in the preceding  
449 subsections, any remaining taxes shall be paid into the State  
450 Treasury to the credit of the General Revenue Fund.

451 Section 10. Paragraphs (a) and (b) of subsection (6) of  
452 section 211.3103, Florida Statutes, are amended to read:

453 211.3103 Levy of tax on severance of phosphate rock; rate,  
454 basis, and distribution of tax.—

455 (6) (a) Beginning January 1, 2023 ~~July 1 of the 2011-2012~~  
456 ~~fiscal year~~, the proceeds of all taxes, interest, and penalties  
457 imposed under this section are exempt from the general revenue  
458 service charge provided in s. 215.20, and such proceeds shall be  
459 paid into the State Treasury as follows:

460 1. To the credit of the State Park ~~Conservation and~~  
461 ~~Recreation Lands~~ Trust Fund, 25.5 percent.

462 2. To the credit of the General Revenue Fund of the state,  
463 35.7 percent.

464 3. For payment to counties in proportion to the number of  
465 tons of phosphate rock produced from a phosphate rock matrix  
466 located within such political boundary, 12.8 percent. The  
467 department shall distribute this portion of the proceeds  
468 annually based on production information reported by the  
469 producers on the annual returns for the taxable year. Any such  
470 proceeds received by a county shall be used only for phosphate-  
471 related expenses.

472 4. For payment to counties that have been designated as a  
473 rural area of opportunity pursuant to s. 288.0656 in proportion  
474 to the number of tons of phosphate rock produced from a



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475 phosphate rock matrix located within such political boundary,  
476 10.0 percent. The department shall distribute this portion of  
477 the proceeds annually based on production information reported  
478 by the producers on the annual returns for the taxable year.  
479 Payments under this subparagraph shall be made to the counties  
480 unless the Legislature by special act creates a local authority  
481 to promote and direct the economic development of the county. If  
482 such authority exists, payments shall be made to that authority.

483 5. To the credit of the Nonmandatory Land Reclamation Trust  
484 Fund, 6.2 percent.

485 6. To the credit of the Phosphate Research Trust Fund in  
486 the Division of Universities of the Department of Education, 6.2  
487 percent.

488 7. To the credit of the Minerals Trust Fund, 3.6 percent.

489 (b) Notwithstanding paragraph (a), from January 1, 2015,  
490 until December 31, 2022, the proceeds of all taxes, interest,  
491 and penalties imposed under this section are exempt from the  
492 general revenue service charge provided in s. 215.20, and such  
493 proceeds shall be paid to the State Treasury as follows:

494 1. To the credit of the State Park ~~Conservation and~~  
495 ~~Recreation Lands~~ Trust Fund, 22.8 percent.

496 2. To the credit of the General Revenue Fund of the state,  
497 31.9 percent.

498 3. For payment to counties pursuant to subparagraph (a)3.,  
499 11.5 percent.

500 4. For payment to counties pursuant to subparagraph (a)4.,  
501 8.9 percent.

502 5. To the credit of the Nonmandatory Land Reclamation Trust  
503 Fund, 16.1 percent.



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504           6. To the credit of the Phosphate Research Trust Fund in  
505 the Division of Universities of the Department of Education, 5.6  
506 percent.

507           7. To the credit of the Minerals Trust Fund, 3.2 percent.

508           Section 11. Subsection (2) of section 215.20, Florida  
509 Statutes, is amended to read:

510           215.20 Certain income and certain trust funds to contribute  
511 to the General Revenue Fund.—

512           (2) Notwithstanding the provisions of subsection (1), the  
513 trust funds of the Department of Citrus and the Department of  
514 Agriculture and Consumer Services, including funds collected in  
515 the General Inspection Trust Fund for marketing orders and in  
516 the Florida Citrus Advertising Trust Fund, shall be subject to a  
517 4 percent service charge, which is hereby appropriated to the  
518 General Revenue Fund. This subsection ~~paragraph~~ does not apply  
519 to ~~the Conservation and Recreation Lands Program Trust Fund~~, the  
520 Citrus Inspection Trust Fund, the Florida Forever Program Trust  
521 Fund, the Market Improvements Working Capital Trust Fund, the  
522 Pest Control Trust Fund, the Plant Industry Trust Fund, or other  
523 funds collected in the General Inspection Trust Fund in the  
524 Department of Agriculture and Consumer Services.

525           Section 12. Paragraph (a) of subsection (1) and subsections  
526 (2), (3), and (6) of section 215.618, Florida Statutes, are  
527 amended to read:

528           215.618 Bonds for acquisition and improvement of land,  
529 water areas, and related property interests and resources.—

530           (1) (a) The issuance of Florida Forever bonds, not to exceed  
531 \$5.3 billion, to finance or refinance the cost of acquisition  
532 and improvement of land, water areas, and related property



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533 interests and resources, in urban and rural settings, for the  
534 purposes of restoration, conservation, recreation, water  
535 resource development, or historical preservation, and for  
536 capital improvements to lands and water areas that accomplish  
537 environmental restoration, enhance public access and  
538 recreational enjoyment, promote long-term management goals, and  
539 facilitate water resource development is hereby authorized,  
540 subject to ~~the provisions of~~ s. 259.105 and pursuant to s.  
541 11(e), Art. VII of the State Constitution and, on or after July  
542 1, 2015, to also finance or refinance the acquisition and  
543 improvement of land, water areas, and related property interests  
544 as provided in s. 28, Art. X of the State Constitution. Florida  
545 ~~Forever bonds may also be issued to refund Preservation 2000~~  
546 ~~bonds issued pursuant to s. 375.051. The \$5.3 billion limitation~~  
547 ~~on the issuance of Florida Forever bonds does not apply to~~  
548 ~~refunding bonds. The duration of each series of Florida Forever~~  
549 ~~bonds issued may not exceed 20 annual maturities. Preservation~~  
550 ~~2000 bonds and Florida Forever bonds shall be equally and~~  
551 ~~ratably secured by moneys distributable to the Land Acquisition~~  
552 ~~Trust Fund pursuant to s. 201.15(1)(a), except to the extent~~  
553 ~~specifically provided otherwise by the documents authorizing the~~  
554 ~~issuance of the bonds.~~

555 (2) The state covenants ~~does hereby covenant~~ with the  
556 holders of Florida Forever bonds ~~and Preservation 2000 bonds~~  
557 that it will not take any action which will materially and  
558 adversely affect the rights of such holders so long as such  
559 bonds are outstanding, including, but not limited to, a  
560 reduction in the portion of documentary stamp taxes  
561 distributable to the Land Acquisition Trust Fund for payment of



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562 debt service on ~~Preservation 2000 bonds or~~ Florida Forever  
563 bonds.

564 (3) Bonds issued pursuant to this section are ~~shall be~~  
565 payable from taxes distributable to the Land Acquisition Trust  
566 Fund pursuant to s. 201.15(1) ~~(a)~~. Bonds issued pursuant to this  
567 section do ~~shall~~ not constitute a general obligation of, or a  
568 pledge of the full faith and credit of, the state.

569 (6) Pursuant to authority granted under ~~by~~ s. 11(e), Art.  
570 VII of the State Constitution, there is hereby continued and re-  
571 created the Land Acquisition Trust Fund which shall ~~be a~~  
572 ~~continuation of the Land Acquisition Trust Fund which exists for~~  
573 ~~purposes of s. 9(a)(1), Art. XII of the State Constitution. The~~  
574 ~~Land Acquisition Trust Fund shall continue beyond the~~  
575 ~~termination of bonding authority provided for in s. 9(a)(1),~~  
576 ~~Art. XII of the State Constitution, pursuant to the authority~~  
577 ~~provided by s. 11(e), Art. VII of the State Constitution and~~  
578 ~~shall~~ continue for so long as ~~Preservation 2000 bonds or~~ Florida  
579 Forever bonds are outstanding and secured by taxes distributable  
580 thereto or until the requirement of s. 28(a), Art. X of the  
581 State Constitution expires, whichever is later.

582 Section 13. Subsections (2) and (3) of section 215.619,  
583 Florida Statutes, are amended to read:

584 215.619 Bonds for Everglades restoration.—

585 (2) The state covenants with the holders of Everglades  
586 restoration bonds that it will not take any action that will  
587 materially and adversely affect the rights of the holders so  
588 long as the bonds are outstanding, including, but not limited  
589 to, a reduction in the portion of documentary stamp taxes  
590 distributable under s. 201.15(1) for payment of debt service on



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591 ~~Preservation 2000 bonds,~~ Florida Forever bonds~~,~~ or Everglades  
592 restoration bonds.

593 (3) Everglades restoration bonds are payable from, and  
594 secured by a first lien on, taxes distributable under s.  
595 201.15(1) ~~s. 201.15(1)(b)~~ and do not constitute a general  
596 obligation of, or a pledge of the full faith and credit of, the  
597 state. Everglades restoration bonds shall be secured on a parity  
598 basis with bonds secured by moneys distributable under s.  
599 201.15(1) ~~s. 201.15(1)(a)~~.

600 Section 14. Subsection (5) of section 253.027, Florida  
601 Statutes, is amended to read:

602 253.027 Emergency archaeological property acquisition.—

603 (5) ACCOUNT EXPENDITURES.—

604 (a) No moneys shall be spent for the acquisition of any  
605 property, including title works, appraisal fees, and survey  
606 costs, unless:

607 1. The property is an archaeological property of major  
608 statewide significance.

609 2. The structures, artifacts, or relics, or their historic  
610 significance, will be irretrievably lost if the state cannot  
611 acquire the property.

612 3. The site is presently on an acquisition list for  
613 ~~Conservation and Recreation Lands or for~~ Florida Forever lands~~,~~  
614 or complies with the criteria for inclusion on any such list,  
615 but has yet to be included on the list.

616 4. No other source of immediate funding is available to  
617 purchase or otherwise protect the property.

618 5. The site is not otherwise protected by local, state, or  
619 federal laws.



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620           6. The acquisition is not inconsistent with the state  
621 comprehensive plan and the state land acquisition program.

622           (b) No moneys shall be spent from the account for  
623 excavation or restoration of the properties acquired. Funds may  
624 be spent for preliminary surveys to determine if the sites meet  
625 the criteria of this section. An amount not to exceed \$100,000  
626 may also be spent from the account to inventory and evaluate  
627 archaeological and historic resources on properties purchased,  
628 or proposed for purchase, pursuant to s. 259.105(3)(b) ~~s.~~  
629 ~~259.032~~.

630           Section 15. Subsection (12) of section 253.03, Florida  
631 Statutes, is amended to read:

632           253.03 Board of trustees to administer state lands; lands  
633 enumerated.—

634           (12) The Board of Trustees of the Internal Improvement  
635 Trust Fund is hereby authorized to administer, manage, control,  
636 conserve, protect, and sell all real property forfeited to the  
637 state pursuant to ss. 895.01-895.09 or acquired by the state  
638 pursuant to s. 607.0505 or former s. 620.192. The board is  
639 directed to immediately determine the value of all such property  
640 and shall ascertain whether the property is in any way  
641 encumbered. If the board determines that it is in the best  
642 interest of the state to do so, funds from the Internal  
643 Improvement Trust Fund may be used to satisfy any such  
644 encumbrances. If forfeited property receipts are not sufficient  
645 to satisfy encumbrances on the property and expenses permitted  
646 under this section, funds from another appropriate ~~the Land~~  
647 ~~Acquisition~~ trust fund may be used to satisfy any such  
648 encumbrances and expenses. All property acquired by the board



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649 pursuant to s. 607.0505, former s. 620.192, or ss. 895.01-895.09  
650 shall be sold as soon as commercially feasible unless the  
651 Attorney General recommends and the board determines that  
652 retention of the property in public ownership would effectuate  
653 one or more of the following policies of statewide significance:  
654 protection or enhancement of floodplains, marshes, estuaries,  
655 lakes, rivers, wilderness areas, wildlife areas, wildlife  
656 habitat, or other environmentally sensitive natural areas or  
657 ecosystems; or preservation of significant archaeological or  
658 historical sites identified by the Secretary of State. In such  
659 event the property shall remain in the ownership of the board,  
660 to be controlled, managed, and disposed of in accordance with  
661 this chapter, and the Internal Improvement Trust Fund shall be  
662 reimbursed from the Land Acquisition Trust Fund, or other  
663 appropriate fund designated by the board, for any funds expended  
664 from the Internal Improvement Trust Fund pursuant to this  
665 subsection in regard to such property. Upon the recommendation  
666 of the Attorney General, the board may reimburse the  
667 investigative agency for its investigative expenses, costs, and  
668 attorneys' fees, and may reimburse law enforcement agencies for  
669 actual expenses incurred in conducting investigations leading to  
670 the forfeiture of such property from funds deposited in the  
671 Internal Improvement Trust Fund of the Department of  
672 Environmental Protection. The proceeds of the sale of property  
673 acquired under s. 607.0505, former s. 620.192, or ss. 895.01-  
674 895.09 shall be distributed as follows:

675 (a) After satisfaction of any valid claims arising under  
676 ~~the provisions of~~ s. 895.09(1) (a) or (b), any moneys used to  
677 satisfy encumbrances and expended as costs of administration,





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678 appraisal, management, conservation, protection, sale, and real  
679 estate sales services and any interest earnings lost to the ~~Land~~  
680 ~~Acquisition~~ trust fund that was used as of a date certified by  
681 the Department of Environmental Protection shall be replaced  
682 first in the ~~Land Acquisition~~ trust fund that was used to  
683 satisfy any such encumbrance or expense, if those funds were

684 used, and then in the Internal Improvement Trust Fund; and  
685 (b) The remainder shall be distributed as set forth in s.  
686 895.09.

687 Section 16. Subsection (3), paragraphs (a) and (k) through  
688 (n) of subsection (6), and subsections (10) and (11) of section  
689 253.034, Florida Statutes, are amended to read:

690 253.034 State-owned lands; uses.—

691 (3) Recognizing ~~In recognition~~ that recreational trails  
692 purchased with rails-to-trails funds pursuant to former s.  
693 259.101(3)(g), Florida Statutes 2014, or s. 259.105(3)(h) have  
694 had historic transportation uses and that their linear character  
695 may extend many miles, the Legislature intends that if ~~when~~ the  
696 necessity arises to serve public needs, after balancing the need  
697 to protect trail users from collisions with automobiles and a  
698 preference for the use of overpasses and underpasses to the  
699 greatest extent feasible and practical, transportation uses  
700 shall be allowed to cross recreational trails purchased pursuant  
701 to former s. 259.101(3)(g), Florida Statutes 2014, or s.  
702 259.105(3)(h). When these crossings are needed, the location and  
703 design should consider and mitigate the impact on humans and  
704 environmental resources, and the value of the land shall be paid  
705 based on fair market value.

706 (6) The Board of Trustees of the Internal Improvement Trust



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707 Fund shall determine which lands, the title to which is vested  
708 in the board, may be surplus. For conservation lands, the  
709 board shall determine whether the lands are no longer needed for  
710 conservation purposes and may dispose of them by an affirmative  
711 vote of at least three members. In the case of a land exchange  
712 involving the disposition of conservation lands, the board must  
713 determine by an affirmative vote of at least three members that  
714 the exchange will result in a net positive conservation benefit.  
715 For all other lands, the board shall determine whether the lands  
716 are no longer needed and may dispose of them by an affirmative  
717 vote of at least three members.

718 (a) For the purposes of this subsection, all lands acquired  
719 by the state before July 1, 1999, using proceeds from  
720 Preservation 2000 bonds, the former Conservation and Recreation  
721 Lands Trust Fund, the former Water Management Lands Trust Fund,  
722 Environmentally Endangered Lands Program, and the Save Our Coast  
723 Program and titled to the board which are identified as core  
724 parcels or within original project boundaries are deemed to have  
725 been acquired for conservation purposes.

726 (k) Proceeds from the any sale of surplus conservation  
727 lands purchased before July 1, 2015, pursuant to this subsection  
728 shall be deposited into the Florida Forever Trust Fund from  
729 which such lands were acquired.

730 (l) Proceeds from the sale of surplus conservation lands  
731 purchased on or after July 1, 2015, shall be deposited into the  
732 Land Acquisition Trust Fund or, if required by bond covenants,  
733 into the trust fund from which the lands were purchased.  
734 ~~However, if the fund from which the lands were originally~~  
735 ~~acquired no longer exists, such proceeds shall be deposited into~~



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736 ~~an appropriate account to be used for land management by the~~  
737 ~~lead managing agency assigned the lands before the lands were~~  
738 ~~declared surplus.~~

739       (m) Funds received from the sale of surplus nonconservation  
740 lands, or lands that were acquired by gift, by donation, or for  
741 no consideration, shall be deposited into the Internal  
742 Improvement Trust Fund.

743       (n) ~~(l)~~ Notwithstanding this subsection, such disposition of  
744 land may not be made if it would have the effect of causing all  
745 or any portion of the interest on any revenue bonds issued to  
746 lose the exclusion from gross income for federal income tax  
747 purposes.

748       (o) ~~(m)~~ The sale of filled, formerly submerged land that  
749 does not exceed 5 acres in area is not subject to review by the  
750 council or its successor.

751       (p) ~~(n)~~ The board may adopt rules to administer this section  
752 which may include procedures for administering surplus land  
753 requests and criteria for when the division may approve requests  
754 to surplus nonconservation lands on behalf of the board.

755       (10) The following additional uses of conservation lands  
756 acquired pursuant to the Florida Forever program and other  
757 state-funded conservation land purchase programs shall be  
758 authorized, upon a finding by the board of trustees, if they  
759 meet the criteria specified in paragraphs (a)-(e): water  
760 resource development projects, water supply development  
761 projects, stormwater management projects, linear facilities, and  
762 sustainable agriculture and forestry. Such additional uses are  
763 authorized where:

764       (a) Not inconsistent with the management plan for such



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765 lands;

766 (b) Compatible with the natural ecosystem and resource  
767 values of such lands;

768 (c) The proposed use is appropriately located on such lands  
769 and where due consideration is given to the use of other  
770 available lands;

771 (d) The using entity reasonably compensates the titleholder  
772 for such use based upon an appropriate measure of value; and

773 (e) The use is consistent with the public interest.  
774

775 A decision by the board of trustees pursuant to this section  
776 shall be given a presumption of correctness. Moneys received  
777 from the use of state lands pursuant to this section shall be  
778 returned to the lead managing entity in accordance with s.  
779 259.032(9)(c) ~~the provisions of s. 259.032(11)(c).~~

780 (11) Lands listed as projects for acquisition may be  
781 managed for conservation pursuant to s. 259.032, on an interim  
782 basis by a private party in anticipation of a state purchase in  
783 accordance with a contractual arrangement between the acquiring  
784 agency and the private party that may include management service  
785 contracts, leases, cost-share arrangements or resource  
786 conservation agreements. Lands designated as eligible under this  
787 subsection shall be managed to maintain or enhance the resources  
788 the state is seeking to protect by acquiring the land. Funding  
789 for these contractual arrangements may originate from the  
790 documentary stamp tax revenue deposited into the Land  
791 Acquisition Conservation and Recreation Lands Trust Fund ~~and~~  
792 ~~Water Management Lands Trust Fund~~. No more than \$6.2 million may  
793 be expended from the Land Acquisition Trust Fund ~~5 percent of~~



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794 ~~funds allocated under the trust funds shall be expended~~ for this  
795 purpose.

796 Section 17. Section 253.7824, Florida Statutes, is amended  
797 to read:

798 253.7824 Sale of products; proceeds.—The department may  
799 authorize the removal and sale of products from the land where  
800 environmentally appropriate, the proceeds from which shall be  
801 deposited into the appropriate ~~in the Land Acquisition~~ trust  
802 fund pursuant to s. 253.034(6)(k), (l), or (m).

803 Section 18. Subsection (1) of section 258.435, Florida  
804 Statutes, is amended to read:

805 258.435 Use of aquatic preserves for the accommodation of  
806 visitors.—

807 (1) The Department of Environmental Protection shall  
808 promote the public use of aquatic preserves and their associated  
809 uplands. The department may receive gifts and donations to carry  
810 out the purpose of this part. Moneys received in trust by the  
811 department by gift, devise, appropriation, or otherwise, subject  
812 to the terms of such trust, shall be deposited into the Grants  
813 and Donations ~~Land Acquisition~~ Trust Fund and appropriated to  
814 the department for the administration, development, improvement,  
815 promotion, and maintenance of aquatic preserves and their  
816 associated uplands and for any future acquisition or development  
817 of aquatic preserves and their associated uplands.

818 Section 19. Section 259.032, Florida Statutes, is amended  
819 to read:

820 259.032 Conservation and recreation lands ~~Trust Fund;~~  
821 ~~purpose.~~—

822 (1) It is the policy of the state that the citizens of this



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823 state shall be assured public ownership of natural areas for  
824 purposes of maintaining this state's unique natural resources;  
825 protecting air, land, and water quality; promoting water  
826 resource development to meet the needs of natural systems and  
827 citizens of this state; promoting restoration activities on  
828 public lands; and providing lands for natural resource based  
829 recreation. In recognition of this policy, it is the intent of  
830 the Legislature to provide such public lands for the people  
831 residing in urban and metropolitan areas of the state, as well  
832 as those residing in less populated, rural areas. It is the  
833 further intent of the Legislature, with regard to the lands  
834 described in paragraph (2) (c) ~~(3) (e)~~, that a high priority be  
835 given to the acquisition, restoration, and management of such  
836 lands in or near counties exhibiting the greatest concentration  
837 of population and, with regard to the lands described in  
838 subsection (2) ~~(3)~~, that a high priority be given to acquiring  
839 lands or rights or interests in lands that advance the goals and  
840 objectives of the Fish and Wildlife Conservation Commission's  
841 approved species or habitat recovery plans, or lands within any  
842 area designated as an area of critical state concern under s.  
843 380.05 which, in the judgment of the advisory council  
844 established pursuant to s. 259.035, or its successor, cannot be  
845 adequately protected by application of land development  
846 regulations adopted pursuant to s. 380.05. Finally, it is the  
847 Legislature's intent that lands acquired for conservation and  
848 recreation purposes ~~through this program and any successor~~  
849 ~~programs~~ be managed in such a way as to protect or restore their  
850 natural resource values, and provide the greatest benefit,  
851 including public access, to the citizens of this state.



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852           ~~(2) (a) The Conservation and Recreation Lands Trust Fund is~~  
853 ~~established within the Department of Environmental Protection.~~  
854 ~~The fund shall be used as a nonlapsing, revolving fund~~  
855 ~~exclusively for the purposes of this section. The fund shall be~~  
856 ~~credited with proceeds from the following excise taxes:~~

857           ~~1. The excise taxes on documents as provided in s. 201.15;~~  
858 ~~and~~

859           ~~2. The excise tax on the severance of phosphate rock as~~  
860 ~~provided in s. 211.3103.~~

861  
862 ~~The Department of Revenue shall credit to the fund each month~~  
863 ~~the proceeds from such taxes as provided in this paragraph.~~

864           ~~(b) There shall annually be transferred from the~~  
865 ~~Conservation and Recreation Lands Trust Fund to the Land~~  
866 ~~Acquisition Trust Fund that amount, not to exceed \$20 million~~  
867 ~~annually, as shall be necessary to pay the debt service on, or~~  
868 ~~fund debt service reserve funds, rebate obligations, or other~~  
869 ~~amounts with respect to bonds issued pursuant to s. 375.051 to~~  
870 ~~acquire lands on the established priority list developed~~  
871 ~~pursuant to ss. 259.101(4) and 259.105; however, no moneys~~  
872 ~~transferred to the Land Acquisition Trust Fund pursuant to this~~  
873 ~~paragraph, or earnings thereon, shall be used or made available~~  
874 ~~to pay debt service on the Save Our Coast revenue bonds. Amounts~~  
875 ~~transferred annually from the Conservation and Recreation Lands~~  
876 ~~Trust Fund to the Land Acquisition Trust Fund pursuant to this~~  
877 ~~paragraph shall have the highest priority over other payments or~~  
878 ~~transfers from the Conservation and Recreation Lands Trust Fund,~~  
879 ~~and no other payments or transfers shall be made from the~~  
880 ~~Conservation and Recreation Lands Trust Fund until such~~



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881 ~~transfers to the Land Acquisition Trust Fund have been made.~~  
882 ~~Moneys in the Conservation and Recreation Lands Trust Fund also~~  
883 ~~shall be used to manage lands and to pay for related costs,~~  
884 ~~activities, and functions pursuant to the provisions of this~~  
885 ~~section.~~

886       (2)~~(3)~~ The Governor and Cabinet, sitting as the Board of  
887 Trustees of the Internal Improvement Trust Fund, may expend  
888 ~~allocate~~ moneys appropriated by the Legislature ~~from the fund in~~  
889 ~~any one year~~ to acquire the fee or any lesser interest in lands  
890 for the following public purposes:

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

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

898       (c) To conserve and protect native species habitat or  
899 endangered or threatened species, emphasizing long-term  
900 protection for endangered or threatened species designated G-1  
901 or G-2 by the Florida Natural Areas Inventory, and especially  
902 those areas that are special locations for breeding and  
903 reproduction;

904       (d) To conserve, protect, manage, or restore important  
905 ecosystems, landscapes, and forests, if the protection and  
906 conservation of such lands is necessary to enhance or protect  
907 significant surface water, groundwater, coastal, recreational,  
908 timber, or fish or wildlife resources which cannot otherwise be  
909 accomplished through local and state regulatory programs;





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- 910           (e) To promote water resource development that benefits  
911 natural systems and citizens of the state;
- 912           (f) To facilitate the restoration and subsequent health and  
913 vitality of the Florida Everglades;
- 914           (g) To provide areas, including recreational trails, for  
915 natural resource based recreation and other outdoor recreation  
916 on any part of any site compatible with conservation purposes;
- 917           (h) To preserve significant archaeological or historic  
918 sites;
- 919           (i) To conserve urban open spaces suitable for greenways or  
920 outdoor recreation which are compatible with conservation  
921 purposes; or
- 922           (j) To preserve agricultural lands under threat of  
923 conversion to development through less-than-fee acquisitions.
- 924           ~~(3)-(4)~~ Lands acquired for conservation and recreation  
925 purposes ~~under this section~~ shall be for use as state-designated  
926 parks, recreation areas, preserves, reserves, historic or  
927 archaeological sites, geologic or botanical sites, recreational  
928 trails, forests, wilderness areas, wildlife management areas,  
929 urban open space, or other state-designated recreation or  
930 conservation lands; or they shall qualify for such state  
931 designation and use if they are to be managed by other  
932 governmental agencies or nonstate entities as provided for in  
933 this section.
- 934           ~~(4)-(5)~~ The board of trustees may expend appropriated funds  
935 ~~allocate, in any year, an amount not to exceed 5 percent of the~~  
936 ~~money credited to the fund in that year, such allocation to be~~  
937 ~~used~~ for the initiation and maintenance of a natural areas  
938 inventory to aid in the identification of areas to be acquired



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939 for conservation and recreation purposes pursuant to this  
940 section.

941 ~~(6) Moneys in the fund not needed to meet obligations~~  
942 ~~incurred under this section shall be deposited with the Chief~~  
943 ~~Financial Officer to the credit of the fund and may be invested~~  
944 ~~in the manner provided by law. Interest received on such~~  
945 ~~investments shall be credited to the Conservation and Recreation~~  
946 ~~Lands Trust Fund.~~

947 (5)~~(7)~~ The board of trustees may enter into any contract  
948 necessary to accomplish the purposes of this section. The lead  
949 land managing agencies designated by the board of trustees also  
950 are directed by the Legislature to enter into contracts or  
951 interagency agreements with other governmental entities,  
952 including local soil and water conservation districts, or  
953 private land managers who have the expertise to perform specific  
954 management activities which a lead agency lacks, or which would  
955 cost more to provide in-house. Such activities shall include,  
956 but not be limited to, controlled burning, road and ditch  
957 maintenance, mowing, and wildlife assessments.

958 (6)~~(8)~~ Conservation and recreation lands ~~to be considered~~  
959 ~~for purchase under this section~~ are subject to the selection  
960 procedures of s. 259.035 and related rules and shall be acquired  
961 in accordance with acquisition procedures for state lands  
962 provided for in s. 259.041, except as otherwise provided by the  
963 Legislature. An inholding or an addition to conservation and  
964 recreation lands ~~a project selected for purchase pursuant to~~  
965 ~~this chapter~~ is not subject to the selection procedures of s.  
966 259.035 if the estimated value of such inholding or addition  
967 does not exceed \$500,000. When at least 90 percent of the



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968 acreage of a project has been purchased for conservation and  
969 recreation purposes ~~pursuant to this chapter~~, the project may be  
970 removed from the list and the remaining acreage may continue to  
971 be purchased. Funds appropriated to acquire conservation and  
972 recreation lands ~~Moneys from the fund~~ may be used for title  
973 work, appraisal fees, environmental audits, and survey costs  
974 related to acquisition expenses for lands to be acquired,  
975 donated, or exchanged which qualify under the categories of this  
976 section, at the discretion of the board. When the Legislature  
977 has authorized the Department of Environmental Protection to  
978 condemn a specific parcel of land and such parcel has already  
979 been approved for acquisition ~~under this section~~, the land may  
980 be acquired in accordance with the provisions of chapter 73 or  
981 chapter 74, and the funds appropriated to acquire conservation  
982 and recreation lands ~~fund~~ may be used to pay the condemnation  
983 award and all costs, including a reasonable attorney's fee,  
984 associated with condemnation.

985 ~~(7)(9)~~ All lands managed under this chapter and s. 253.034  
986 shall be:

987 (a) Managed in a manner that will provide the greatest  
988 combination of benefits to the public and to the resources.

989 (b) Managed for public outdoor recreation which is  
990 compatible with the conservation and protection of public lands.  
991 Such management may include, but not be limited to, the  
992 following public recreational uses: fishing, hunting, camping,  
993 bicycling, hiking, nature study, swimming, boating, canoeing,  
994 horseback riding, diving, model hobbyist activities, birding,  
995 sailing, jogging, and other related outdoor activities  
996 compatible with the purposes for which the lands were acquired.



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997 (c) Managed for the purposes for which the lands were  
998 acquired, consistent with paragraph (9) (a) ~~(11) (a)~~.

999 (d) Concurrent with its adoption of the annual ~~Conservation~~  
1000 ~~and Recreation Lands~~ list of acquisition projects pursuant to s.  
1001 259.035, the board of trustees shall adopt a management  
1002 prospectus for each project. The management prospectus shall  
1003 delineate:

1004 1. The management goals for the property;

1005 2. The conditions that will affect the intensity of  
1006 management;

1007 3. An estimate of the revenue-generating potential of the  
1008 property, if appropriate;

1009 4. A timetable for implementing the various stages of  
1010 management and for providing access to the public, if  
1011 applicable;

1012 5. A description of potential multiple-use activities as  
1013 described in this section and s. 253.034;

1014 6. Provisions for protecting existing infrastructure and  
1015 for ensuring the security of the project upon acquisition;

1016 7. The anticipated costs of management and projected  
1017 sources of revenue, including legislative appropriations, to  
1018 fund management needs; and

1019 8. Recommendations as to how many employees will be needed  
1020 to manage the property, and recommendations as to whether local  
1021 governments, volunteer groups, the former landowner, or other  
1022 interested parties can be involved in the management.

1023 (e) Concurrent with the approval of the acquisition  
1024 contract pursuant to s. 259.041(3)(c) for any interest in lands  
1025 except those lands being acquired under the provisions of s.



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1026 259.1052, the board of trustees shall designate an agency or  
1027 agencies to manage such lands. The board shall evaluate and  
1028 amend, as appropriate, the management policy statement for the  
1029 project as provided by s. 259.035, consistent with the purposes  
1030 for which the lands are acquired. For any fee simple acquisition  
1031 of a parcel which is or will be leased back for agricultural  
1032 purposes, or any acquisition of a less-than-fee interest in land  
1033 that is or will be used for agricultural purposes, the Board of  
1034 Trustees of the Internal Improvement Trust Fund shall first  
1035 consider having a soil and water conservation district, created  
1036 pursuant to chapter 582, manage and monitor such interests.

1037 (f) State agencies designated to manage lands acquired  
1038 under this chapter or with funds deposited into the Land  
1039 Acquisition Trust Fund pursuant to s. 28(a), Art. X of the State  
1040 Constitution, except those lands acquired under s. 259.1052, may  
1041 contract with local governments and soil and water conservation  
1042 districts to assist in management activities, including the  
1043 responsibility of being the lead land manager. Such land  
1044 management contracts may include a provision for the transfer of  
1045 management funding to the local government or soil and water  
1046 conservation district from the land acquisition Conservation and  
1047 Recreation Lands trust fund of the lead land managing agency in  
1048 an amount adequate for the local government or soil and water  
1049 conservation district to perform its contractual land management  
1050 responsibilities and proportionate to its responsibilities, and  
1051 which otherwise would have been expended by the state agency to  
1052 manage the property.

1053 (g) Immediately following the acquisition of any interest  
1054 in conservation and recreation lands ~~under this chapter~~, the



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1055 Department of Environmental Protection, acting on behalf of the  
1056 board of trustees, may issue to the lead managing entity an  
1057 interim assignment letter to be effective until the execution of  
1058 a formal lease.

1059 ~~(8)~~(10)(a) State, regional, or local governmental agencies  
1060 or private entities designated to manage lands under this  
1061 section shall develop and adopt, with the approval of the board  
1062 of trustees, an individual management plan for each project  
1063 designed to conserve and protect such lands and their associated  
1064 natural resources. Private sector involvement in management plan  
1065 development may be used to expedite the planning process.

1066 (b) Individual management plans required by s. 253.034(5),  
1067 for parcels over 160 acres, shall be developed with input from  
1068 an advisory group. Members of this advisory group shall include,  
1069 at a minimum, representatives of the lead land managing agency,  
1070 comanaging entities, local private property owners, the  
1071 appropriate soil and water conservation district, a local  
1072 conservation organization, and a local elected official. The  
1073 advisory group shall conduct at least one public hearing within  
1074 the county in which the parcel or project is located. For those  
1075 parcels or projects that are within more than one county, at  
1076 least one areawide public hearing shall be acceptable and the  
1077 lead managing agency shall invite a local elected official from  
1078 each county. The areawide public hearing shall be held in the  
1079 county in which the core parcels are located. Notice of such  
1080 public hearing shall be posted on the parcel or project  
1081 designated for management, advertised in a paper of general  
1082 circulation, and announced at a scheduled meeting of the local  
1083 governing body before the actual public hearing. The management



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1084 prospectus required pursuant to paragraph (7) (d) ~~(9) (d)~~ shall be  
1085 available to the public for a period of 30 days prior to the  
1086 public hearing.

1087 (c) Once a plan is adopted, the managing agency or entity  
1088 shall update the plan at least every 10 years in a form and  
1089 manner prescribed by rule of the board of trustees. Such  
1090 updates, for parcels over 160 acres, shall be developed with  
1091 input from an advisory group. Such plans may include transfers  
1092 of leasehold interests to appropriate conservation organizations  
1093 or governmental entities designated by the Land Acquisition and  
1094 Management Advisory Council or its successor, for uses  
1095 consistent with the purposes of the organizations and the  
1096 protection, preservation, conservation, restoration, and proper  
1097 management of the lands and their resources. Volunteer  
1098 management assistance is encouraged, including, but not limited  
1099 to, assistance by youths participating in programs sponsored by  
1100 state or local agencies, by volunteers sponsored by  
1101 environmental or civic organizations, and by individuals  
1102 participating in programs for committed delinquents and adults.

1103 (d)1. For each project for which lands are acquired after  
1104 July 1, 1995, an individual management plan shall be adopted and  
1105 in place no later than 1 year after the essential parcel or  
1106 parcels identified in the priority list developed pursuant to s.  
1107 259.105 ~~ss. 259.101(4) and 259.105~~ have been acquired. The  
1108 Department of Environmental Protection shall distribute only 75  
1109 percent of the acquisition funds to which a budget entity or  
1110 water management district would otherwise be entitled ~~from the~~  
1111 ~~Preservation 2000 Trust Fund~~ to any budget entity or any water  
1112 management district that has more than one-third of its



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1113 management plans overdue.

1114         2. The requirements of subparagraph 1. do not apply to the  
1115 individual management plan for the Babcock Crescent B Ranch  
1116 being acquired pursuant to s. 259.1052. The management plan for  
1117 the ranch shall be adopted and in place no later than 2 years  
1118 following the date of acquisition by the state.

1119         (e) Individual management plans shall conform to the  
1120 appropriate policies and guidelines of the state land management  
1121 plan and shall include, but not be limited to:

1122             1. A statement of the purpose for which the lands were  
1123 acquired, the projected use or uses as defined in s. 253.034,  
1124 and the statutory authority for such use or uses.

1125             2. Key management activities necessary to achieve the  
1126 desired outcomes, including, but not limited to, providing  
1127 public access, preserving and protecting natural resources,  
1128 protecting cultural and historical resources, restoring habitat,  
1129 protecting threatened and endangered species, controlling the  
1130 spread of nonnative plants and animals, performing prescribed  
1131 fire activities, and other appropriate resource management.

1132             3. A specific description of how the managing agency plans  
1133 to identify, locate, protect, and preserve, or otherwise use  
1134 fragile, nonrenewable natural and cultural resources.

1135             4. A priority schedule for conducting management  
1136 activities, based on the purposes for which the lands were  
1137 acquired.

1138             5. A cost estimate for conducting priority management  
1139 activities, to include recommendations for cost-effective  
1140 methods of accomplishing those activities.

1141             6. A cost estimate for conducting other management





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1142 activities which would enhance the natural resource value or  
1143 public recreation value for which the lands were acquired. The  
1144 cost estimate shall include recommendations for cost-effective  
1145 methods of accomplishing those activities.

1146 7. A determination of the public uses and public access  
1147 that would be consistent with the purposes for which the lands  
1148 were acquired.

1149 (f) The Division of State Lands shall submit a copy of each  
1150 individual management plan for parcels which exceed 160 acres in  
1151 size to each member of the Acquisition and Restoration Council,  
1152 which shall:

1153 1. Within 60 days after receiving a plan from the division,  
1154 review each plan for compliance with the requirements of this  
1155 subsection and with the requirements of the rules established by  
1156 the board pursuant to this subsection.

1157 2. Consider the propriety of the recommendations of the  
1158 managing agency with regard to the future use or protection of  
1159 the property.

1160 3. After its review, submit the plan, along with its  
1161 recommendations and comments, to the board of trustees, with  
1162 recommendations as to whether to approve the plan as submitted,  
1163 approve the plan with modifications, or reject the plan.

1164 (g) The board of trustees shall consider the individual  
1165 management plan submitted by each state agency and the  
1166 recommendations of the Acquisition and Restoration Council and  
1167 the Division of State Lands and shall approve the plan with or  
1168 without modification or reject such plan. The use or possession  
1169 of any lands owned by the board of trustees which is not in  
1170 accordance with an approved individual management plan is



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1171 subject to termination by the board of trustees.

1172

1173 By July 1 of each year, each governmental agency and each  
1174 private entity designated to manage lands shall report to the  
1175 Secretary of Environmental Protection on the progress of  
1176 funding, staffing, and resource management of every project for  
1177 which the agency or entity is responsible.

1178 (9)~~(11)~~(a) The Legislature recognizes that acquiring lands  
1179 pursuant to this chapter serves the public interest by  
1180 protecting land, air, and water resources which contribute to  
1181 the public health and welfare, providing areas for natural  
1182 resource based recreation, and ensuring the survival of unique  
1183 and irreplaceable plant and animal species. The Legislature  
1184 intends for these lands to be managed and maintained for the  
1185 purposes for which they were acquired and for the public to have  
1186 access to and use of these lands where it is consistent with  
1187 acquisition purposes and would not harm the resources the state  
1188 is seeking to protect on the public's behalf.

1189 (b) An amount of not less than 1.5 percent of the  
1190 cumulative total of funds ever deposited into the Florida  
1191 Preservation 2000 Trust Fund and the Florida Forever Trust Fund  
1192 shall be made available for the purposes of management,  
1193 maintenance, and capital improvements ~~not eligible for funding~~  
1194 ~~pursuant to s. 11(e), Art. VII of the State Constitution,~~ and  
1195 for associated contractual services, for conservation and  
1196 recreation lands acquired with funds deposited into the Land  
1197 Acquisition Trust Fund pursuant to s. 28(a), Art. X of the State  
1198 Constitution or pursuant to former s. 259.032, Florida Statutes  
1199 2014 this section, former s. 259.101, Florida Statutes 2014, s.



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1200 259.105, s. 259.1052, or previous programs for the acquisition  
1201 of lands for conservation and recreation, including state  
1202 forests, to which title is vested in the board of trustees and  
1203 other conservation and recreation lands managed by a state  
1204 agency. ~~Of this amount, \$250,000 shall be transferred annually~~  
1205 ~~to the Plant Industry Trust Fund within the Department of~~  
1206 ~~Agriculture and Consumer Services for the purpose of~~  
1207 ~~implementing the Endangered or Threatened Native Flora~~  
1208 ~~Conservation Grants Program pursuant to s. 581.185(11).~~ Each  
1209 agency with management responsibilities shall annually request  
1210 from the Legislature funds sufficient to fulfill such  
1211 responsibilities to implement individual management plans. For  
1212 the purposes of this paragraph, capital improvements shall  
1213 include, but need not be limited to, perimeter fencing, signs,  
1214 firelanes, access roads and trails, and minimal public  
1215 accommodations, such as primitive campsites, garbage  
1216 receptacles, and toilets. Any equipment purchased with funds  
1217 provided pursuant to this paragraph may be used for the purposes  
1218 described in this paragraph on any conservation and recreation  
1219 lands managed by a state agency. ~~The funding requirement created~~  
1220 ~~in this paragraph is subject to an annual evaluation by the~~  
1221 ~~Legislature in order to ensure that such requirement does not~~  
1222 ~~impact the respective trust fund in a manner that would prevent~~  
1223 ~~the trust fund from meeting other minimum requirements.~~

1224 (c) All revenues generated through multiple-use management  
1225 or compatible secondary-use management shall be returned to the  
1226 lead agency responsible for such management and shall be used to  
1227 pay for management activities on all conservation, preservation,  
1228 and recreation lands under the agency's jurisdiction. In



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1229 addition, such revenues shall be segregated in an agency trust  
1230 fund and shall remain available to the agency in subsequent  
1231 fiscal years to support land management appropriations. For the  
1232 purposes of this paragraph, compatible secondary-use management  
1233 shall be those activities described in subsection (7) ~~(9)~~  
1234 undertaken on parcels designated as single use pursuant to s.  
1235 253.034(2)(b).

1236 (d) Up to one-fifth of the funds appropriated for the  
1237 purposes identified ~~provided for~~ in paragraph (b) shall be  
1238 reserved by the board of trustees for interim management of  
1239 acquisitions and for associated contractual services, to ensure  
1240 the conservation and protection of natural resources on project  
1241 sites and to allow limited public recreational use of lands.  
1242 Interim management activities may include, but not be limited  
1243 to, resource assessments, control of invasive, nonnative  
1244 species, habitat restoration, fencing, law enforcement,  
1245 controlled burning, and public access consistent with  
1246 preliminary determinations made pursuant to paragraph (7)(g)  
1247 ~~(9)(g)~~. The board of trustees shall make these interim funds  
1248 available immediately upon purchase.

1249 (e) The department shall set long-range and annual goals  
1250 for the control and removal of nonnative, invasive plant species  
1251 on public lands. Such goals shall differentiate between aquatic  
1252 plant species and upland plant species. In setting such goals,  
1253 the department may rank, in order of adverse impact, species  
1254 that impede or destroy the functioning of natural systems.  
1255 Notwithstanding paragraph (a), up to one-fourth of the funds  
1256 provided for in paragraph (b) may be used by the agencies  
1257 receiving those funds for control and removal of nonnative,



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1258 invasive species on public lands.

1259 ~~(f) For the 2014-2015 fiscal year only, moneys in the~~  
1260 ~~Conservation and Recreation Lands Trust Fund may be transferred~~  
1261 ~~to the Florida Forever Trust Fund for the Florida Forever~~  
1262 ~~program and to the Save Our Everglades Trust Fund to support~~  
1263 ~~Everglades restoration projects included in the final report of~~  
1264 ~~the Select Committee on Indian River Lagoon and Lake Okeechobee~~  
1265 ~~Basin, dated November 8, 2013, pursuant to nonoperating budget~~  
1266 ~~authority under s. 216.181(12). This subsection expires July 1,~~  
1267 ~~2015.~~

1268 ~~(10)-(12)(a) Beginning July 1, 1999, The Legislature may~~  
1269 ~~expend shall make available sufficient funds annually from an~~  
1270 ~~appropriate the Conservation and Recreation Lands trust fund to~~  
1271 ~~the department for payment in lieu of taxes to qualifying~~  
1272 ~~counties and local governments as defined in paragraph (b) for~~  
1273 ~~all actual tax losses incurred as a result of board of trustees~~  
1274 ~~acquisitions for state agencies under the Florida Forever~~  
1275 ~~program or the former Florida Preservation 2000 program during~~  
1276 ~~any year. Reserved funds not used for payments in lieu of taxes~~  
1277 ~~in any year shall revert to the fund to be used for land~~  
1278 ~~management in accordance with the provisions of this section.~~

1279 (b) Payment in lieu of taxes shall be available:

1280 1. To all counties that have a population of 150,000 or  
1281 fewer. Population levels shall be determined pursuant to s.  
1282 11.031.

1283 2. To all local governments located in eligible counties.

1284 3. To Glades County, where a privately owned and operated  
1285 prison leased to the state has recently been opened and where  
1286 privately owned and operated juvenile justice facilities leased



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1287 to the state have recently been constructed and opened, a  
1288 payment in lieu of taxes, in an amount that offsets the loss of  
1289 property tax revenue, which funds have already been appropriated  
1290 and allocated from the Department of Correction's budget for the  
1291 purpose of reimbursing amounts equal to lost ad valorem taxes.

1292 (c) If insufficient funds are available in any year to make  
1293 full payments to all qualifying counties and local governments,  
1294 such counties and local governments shall receive a pro rata  
1295 share of the moneys available.

1296 (d) The payment amount shall be based on the average amount  
1297 of actual taxes paid on the property for the 3 years preceding  
1298 acquisition. Applications for payment in lieu of taxes shall be  
1299 made no later than January 31 of the year following acquisition.  
1300 No payment in lieu of taxes shall be made for properties which  
1301 were exempt from ad valorem taxation for the year immediately  
1302 preceding acquisition.

1303 (e) If property which was subject to ad valorem taxation  
1304 was acquired by a tax-exempt entity for ultimate conveyance to  
1305 the state under this chapter, payment in lieu of taxes shall be  
1306 made for such property based upon the average amount of taxes  
1307 paid on the property for the 3 years prior to its being removed  
1308 from the tax rolls. The department shall certify to the  
1309 Department of Revenue those properties that may be eligible  
1310 under this provision. Once eligibility has been established,  
1311 that county or local government shall receive annual payments  
1312 for each tax loss until the qualifying county or local  
1313 government exceeds the population threshold pursuant to this  
1314 section.

1315 (f) Payment in lieu of taxes pursuant to this subsection



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1316 shall be made annually to qualifying counties and local  
1317 governments after certification by the Department of Revenue  
1318 that the amounts applied for are reasonably appropriate, based  
1319 on the amount of actual taxes paid on the eligible property.  
1320 With the assistance of the local government requesting payment  
1321 in lieu of taxes, the state agency that acquired the land is  
1322 responsible for preparing and submitting application requests  
1323 for payment to the Department of Revenue for certification.

1324 (g) If the board of trustees conveys to a local government  
1325 title to any land owned by the board, any payments in lieu of  
1326 taxes on the land made to the local government shall be  
1327 discontinued as of the date of the conveyance.

1328  
1329 For the purposes of this subsection, "local government" includes  
1330 municipalities, the county school board, mosquito control  
1331 districts, and any other local government entity which levies ad  
1332 valorem taxes, with the exception of a water management  
1333 district.

1334 ~~(13) Moneys credited to the fund each year which are not~~  
1335 ~~used for management, maintenance, or capital improvements~~  
1336 ~~pursuant to subsection (11); for payment in lieu of taxes~~  
1337 ~~pursuant to subsection (12); or for the purposes of subsection~~  
1338 ~~(5), shall be available for the acquisition of land pursuant to~~  
1339 ~~this section.~~

1340 ~~(11)-(14)~~ The board of trustees may adopt rules to further  
1341 define the categories of land for acquisition under this  
1342 chapter.

1343 ~~(12)-(15)~~ Within 90 days after receiving a certified letter  
1344 from the owner of a property on the ~~Conservation and Recreation~~



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1345 ~~Lands list or the~~ priority list established pursuant to s.  
1346 259.105 objecting to the property being included in an  
1347 acquisition project, where such property is a project or part of  
1348 a project which has not been listed for purchase in the current  
1349 year's land acquisition work plan, the board of trustees shall  
1350 delete the property from the list or from the boundary of an  
1351 acquisition project on the list.

1352 Section 20. Subsections (3), (4), and (6) of section  
1353 259.035, Florida Statutes, are amended to read:

1354 259.035 Acquisition and Restoration Council.—

1355 (3) The council shall provide assistance to the board of  
1356 trustees in reviewing the recommendations and plans for state-  
1357 owned lands required under s. 253.034 and chapter 259 ~~ss.~~  
1358 ~~253.034 and 259.032~~. The council shall, in reviewing such  
1359 recommendations and plans, consider the optimization of  
1360 multiple-use and conservation strategies to accomplish the  
1361 provisions funded pursuant to former s. 259.101(3)(a), Florida  
1362 Statutes 2014, and to s. 259.105(3)(b) ~~ss. 259.101(3)(a) and~~  
1363 ~~259.105(3)(b)~~.

1364 (4) ~~(a) The council may use existing rules adopted by the~~  
1365 ~~board of trustees, until it develops and recommends amendments~~  
1366 ~~to those rules, to competitively evaluate, select, and rank~~  
1367 ~~projects eligible for the Conservation and Recreation Lands list~~  
1368 ~~pursuant to ss. 259.032(3) and 259.101(4).~~

1369 ~~(a)(b)~~ By January 1, 2017 ~~December 1, 2009~~, the Acquisition  
1370 and Restoration Council shall develop rules defining specific  
1371 criteria and numeric performance measures needed for lands that  
1372 are to be acquired for public purpose with funds deposited into  
1373 the Land Acquisition Trust Fund pursuant to s. 28(a), Art. X of





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1374 ~~the State Constitution under the Florida Forever program~~  
1375 ~~pursuant to s. 259.105. Each recipient of Florida Forever funds~~  
1376 ~~shall assist the council in the development of such rules. These~~  
1377 rules shall be reviewed and adopted by the board, then submitted  
1378 to the Legislature for consideration by February 1, 2017 ~~2010~~.  
1379 The Legislature may reject, modify, or take no action relative  
1380 to the proposed rules. If no action is taken, the rules shall be  
1381 implemented. Subsequent to their approval, each recipient of  
1382 ~~Florida Forever funds~~ from the Land Acquisition Trust Fund shall  
1383 annually report to the Division of State Lands on each of the  
1384 numeric performance measures accomplished during the previous  
1385 fiscal year.

1386 ~~(b)(e)~~ In developing or amending rules, the council shall  
1387 give weight to the criteria included in s. 259.105(10). The  
1388 board of trustees shall review the recommendations and shall  
1389 adopt rules necessary to administer this section.

1390 (6) The proposal for a project pursuant to this section or  
1391 s. 259.105(3)(b) may be implemented only if adopted by the  
1392 council and approved by the board of trustees. The council shall  
1393 consider and evaluate in writing the merits and demerits of each  
1394 project that is proposed for acquisition using funds available  
1395 pursuant to s. 28, Art. X of the State Constitution Conservation  
1396 ~~and Recreation Lands, Florida Preservation 2000,~~ or Florida  
1397 Forever funding and shall ensure that each proposed project  
1398 meets the requirements of s. 28, Art. X of the State  
1399 Constitution will meet a stated public purpose for the  
1400 ~~restoration, conservation, or preservation of environmentally~~  
1401 ~~sensitive lands and water areas or for providing outdoor~~  
1402 ~~recreational opportunities.~~ The council also shall determine



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1403 whether the project conforms, where applicable, with the  
1404 comprehensive plan developed pursuant to s. 259.04(1)(a), the  
1405 comprehensive multipurpose outdoor recreation plan developed  
1406 pursuant to s. 375.021, the state lands management plan adopted  
1407 pursuant to s. 253.03(7), the water resources work plans  
1408 developed pursuant to s. 373.199, and the provisions of s.  
1409 259.032, s. 259.101, or s. 259.105, whichever is applicable.

1410 Section 21. Subsection (4) of section 259.036, Florida  
1411 Statutes, is amended to read:

1412 259.036 Management review teams.—

1413 (4) In the event a land management plan has not been  
1414 adopted within the timeframes specified in s. 259.032(8) ~~s.~~  
1415 ~~259.032(10)~~, the department may direct a management review of  
1416 the property, to be conducted by the land management review  
1417 team. The review shall consider the extent to which the land is  
1418 being managed for the purposes for which it was acquired and the  
1419 degree to which actual management practices are in compliance  
1420 with the management policy statement and management prospectus  
1421 for that property.

1422 Section 22. Paragraph (b) of subsection (3) of section  
1423 259.037, Florida Statutes, is amended to read:

1424 259.037 Land Management Uniform Accounting Council.—

1425 (3)

1426 (b) Each reporting agency shall also:

1427 1. Include a report of the available public use  
1428 opportunities for each management unit of state land, the total  
1429 management cost for public access and public use, and the cost  
1430 associated with each use option.

1431 2. List the acres of land requiring minimal management



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1432 effort, moderate management effort, and significant management  
1433 effort pursuant to s. 259.032(9)(c) ~~former s. 259.032(11)(c)~~.

1434 For each category created in paragraph (a), the reporting agency  
1435 shall include the amount of funds requested, the amount of funds  
1436 received, and the amount of funds expended for land management.

1437 3. List acres managed and cost of management for each park,  
1438 preserve, forest, reserve, or management area.

1439 4. List acres managed, cost of management, and lead manager  
1440 for each state lands management unit for which secondary  
1441 management activities were provided.

1442 5. Include a report of the estimated calculable financial  
1443 benefits to the public for the ecosystem services provided by  
1444 conservation lands, based on the best readily available  
1445 information or science that provides a standard measurement  
1446 methodology to be consistently applied by the land managing  
1447 agencies. Such information may include, but need not be limited  
1448 to, the value of natural lands for protecting the quality and  
1449 quantity of drinking water through natural water filtration and  
1450 recharge, contributions to protecting and improving air quality,  
1451 benefits to agriculture through increased soil productivity and  
1452 preservation of biodiversity, and savings to property and lives  
1453 through flood control.

1454 Section 23. Subsection (1) of section 259.04, Florida  
1455 Statutes, is amended to read:

1456 259.04 Board; powers and duties.—

1457 (1) For projects and acquisitions selected for purchase  
1458 pursuant to ss. 259.035, ~~259.101~~, and 259.105:

1459 (a) The board is given the responsibility, authority, and  
1460 power to develop and execute a comprehensive, statewide 5-year



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1461 plan to conserve, restore, and protect environmentally  
1462 endangered lands, ecosystems, lands necessary for outdoor  
1463 recreational needs, and other lands as identified in ss.  
1464 259.032, ~~259.101~~, and 259.105. This plan shall be kept current  
1465 through continual reevaluation and revision. The advisory  
1466 council or its successor shall assist the board in the  
1467 development, reevaluation, and revision of the plan.

1468 (b) The board may enter into contracts with the government  
1469 of the United States or any agency or instrumentality thereof;  
1470 the state or any county, municipality, district authority, or  
1471 political subdivision; or any private corporation, partnership,  
1472 association, or person providing for or relating to the  
1473 conservation or protection of certain lands in accomplishing the  
1474 purposes of this chapter.

1475 (c) Within 45 days after the advisory council or its  
1476 successor submits the lists of projects to the board, the board  
1477 shall approve, in whole or in part, the lists of projects in the  
1478 order of priority in which such projects are presented. To the  
1479 greatest extent practicable, projects on the lists shall be  
1480 acquired in their approved order of priority.

1481 (d) The board is authorized to acquire, by purchase, gift,  
1482 or devise or otherwise, the fee title or any lesser interest of  
1483 lands, water areas, and related resources for environmentally  
1484 endangered lands.

1485 Section 24. Paragraphs (a) and (b) of subsection (11) and  
1486 subsection (15) of section 259.041, Florida Statutes, are  
1487 amended to read:

1488 259.041 Acquisition of state-owned lands for preservation,  
1489 conservation, and recreation purposes.-



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1490 (11) (a) The Legislature finds that, with the increasing  
1491 pressures on the natural areas of this state and on open space  
1492 suitable for recreational use, the state must develop creative  
1493 techniques to maximize the use of acquisition and management  
1494 funds. The Legislature also finds that the state's conservation  
1495 and recreational land acquisition agencies should be encouraged  
1496 to augment their traditional, fee simple acquisition programs  
1497 with the use of alternatives to fee simple acquisition  
1498 techniques. Additionally, the Legislature finds that generations  
1499 of private landowners have been good stewards of their land,  
1500 protecting or restoring native habitats and ecosystems to the  
1501 benefit of the natural resources of this state, its heritage,  
1502 and its citizens. The Legislature also finds that using  
1503 alternatives to fee simple acquisition by public land  
1504 acquisition agencies will achieve the following public policy  
1505 goals:

1506 1. Allow more lands to be brought under public protection  
1507 for preservation, conservation, and recreational purposes with  
1508 less expenditure of public funds.

1509 2. Retain, on local government tax rolls, some portion of  
1510 or interest in lands which are under public protection.

1511 3. Reduce long-term management costs by allowing private  
1512 property owners to continue acting as stewards of their land,  
1513 where appropriate.

1514  
1515 Therefore, it is the intent of the Legislature that public land  
1516 acquisition agencies develop programs to pursue alternatives to  
1517 fee simple acquisition and to educate private landowners about  
1518 such alternatives and the benefits of such alternatives. It is



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1519 also the intent of the Legislature that a portion of the shares  
1520 of ~~Preservation 2000~~ and Florida Forever bond proceeds be used  
1521 to purchase eligible properties using alternatives to fee simple  
1522 acquisition.

1523 (b) All project applications shall identify, within their  
1524 acquisition plans, projects that require a full fee simple  
1525 interest to achieve the public policy goals, together with the  
1526 reasons full title is determined to be necessary. The state  
1527 agencies and the water management districts may use alternatives  
1528 to fee simple acquisition to bring the remaining projects in  
1529 their acquisition plans under public protection. For the  
1530 purposes of this subsection, the term "alternatives to fee  
1531 simple acquisition" includes, but is not limited to: purchase of  
1532 development rights; obtaining conservation easements; obtaining  
1533 flowage easements; purchase of timber rights, mineral rights, or  
1534 hunting rights; purchase of agricultural interests or  
1535 silvicultural interests; ~~entering into land protection~~  
1536 ~~agreements as defined in s. 380.0677(3)~~; fee simple acquisitions  
1537 with reservations; creating life estates; or any other  
1538 acquisition technique that achieves the public policy goals  
1539 listed in paragraph (a). It is presumed that a private landowner  
1540 retains the full range of uses for all the rights or interests  
1541 in the landowner's land which are not specifically acquired by  
1542 the public agency. The lands upon which hunting rights are  
1543 specifically acquired pursuant to this paragraph shall be  
1544 available for hunting in accordance with the management plan or  
1545 hunting regulations adopted by the Florida Fish and Wildlife  
1546 Conservation Commission, unless the hunting rights are purchased  
1547 specifically to protect activities on adjacent lands.



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1548 (15) The board of trustees, by an affirmative vote of at  
1549 least three of its members, may direct the department to  
1550 purchase lands on an immediate basis using up to 15 percent of  
1551 the funds allocated to the department pursuant to s. 259.105 ~~ss.~~  
1552 ~~259.101(3)(a) and 259.105~~ for the acquisition of lands that:

1553 (a) Are listed or placed at auction by the Federal  
1554 Government as part of the Resolution Trust Corporation sale of  
1555 lands from failed savings and loan associations;

1556 (b) Are listed or placed at auction by the Federal  
1557 Government as part of the Federal Deposit Insurance Corporation  
1558 sale of lands from failed banks; or

1559 (c) Will be developed or otherwise lost to potential public  
1560 ownership, or for which federal matching funds will be lost, by  
1561 the time the land can be purchased under the program within  
1562 which the land is listed for acquisition.

1563  
1564 For such acquisitions, the board of trustees may waive or modify  
1565 all procedures required for land acquisition pursuant to this  
1566 chapter and all competitive bid procedures required pursuant to  
1567 chapters 255 and 287. Lands acquired pursuant to this subsection  
1568 must, at the time of purchase, be on one of the acquisition  
1569 lists established pursuant to this chapter, or be essential for  
1570 water resource development, protection, or restoration, or a  
1571 significant portion of the lands must contain natural  
1572 communities or plant or animal species that ~~which~~ are listed by  
1573 the Florida Natural Areas Inventory as critically imperiled,  
1574 imperiled, or rare, or as excellent quality occurrences of  
1575 natural communities.

1576 Section 25. Section 259.101, Florida Statutes, is amended



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1577 to read:

1578 259.101 Florida Preservation 2000 Act.—

1579 (1) SHORT TITLE.—This section may be cited as the “Florida  
1580 Preservation 2000 Act.”

1581 (2) LEGISLATIVE FINDINGS.—The Legislature finds and  
1582 declares that:

1583 (a) The alteration and development of Florida’s natural  
1584 areas to accommodate its rapidly growing population have  
1585 contributed to the degradation of water resources, the  
1586 fragmentation and destruction of wildlife habitats, the loss of  
1587 recreation space, and the diminishment of wetlands and forests.

1588 (b) Imminent development of Florida’s remaining natural  
1589 areas and continuing increases in land values necessitate an  
1590 aggressive program of public land acquisition during the next  
1591 decade to preserve the quality of life that attracts so many  
1592 people to Florida.

1593 (c) Acquisition of public lands, in fee simple or in any  
1594 lesser interest, should be based on a comprehensive assessment  
1595 of Florida’s natural resources and planned so as to protect the  
1596 integrity of ecological systems and to provide multiple  
1597 benefits, including preservation of fish and wildlife habitat,  
1598 recreation space, and water recharge areas. Governmental  
1599 agencies responsible for public land acquisition should work  
1600 together to purchase lands jointly and to coordinate individual  
1601 purchases within ecological systems.

1602 (d) One of the purposes of the Florida Communities Trust  
1603 program is to acquire, protect, and preserve open space and  
1604 recreation properties within urban areas where pristine animal  
1605 and plant communities no longer exist. These areas are often





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1606 overlooked in other programs because of their smaller size and  
1607 proximity to developed property. These smaller parcels are,  
1608 however, critically important to the quality of life in these  
1609 urban areas for the residents who live there as well as to the  
1610 many visitors to the state. The trust shall consider projects  
1611 submitted by local governments which further the goals,  
1612 objectives, and policies of the conservation, recreation and  
1613 open space, or coastal elements of their local comprehensive  
1614 plans or which serve to conserve natural resources or resolve  
1615 land use conflicts.

1616 (e) South Florida's water supply and unique natural  
1617 environment depend on the protection of lands buffering the East  
1618 Everglades and the Everglades water conservation areas.

1619  
1620 In addition, the Legislature recognizes the conflicting desires  
1621 of the citizens of this state to prosper through economic  
1622 development and to preserve the natural areas of Florida that  
1623 development threatens to claim. The Legislature further  
1624 recognizes the urgency of acquiring natural areas in the state  
1625 for preservation, yet acknowledges the difficulty of ensuring  
1626 adequate funding for accelerated acquisition in light of other  
1627 equally critical financial needs of the state. ~~It is the~~  
1628 ~~Legislature's desire and intent to fund the implementation of~~  
1629 ~~the Florida Preservation 2000 Act for each of the 10 years of~~  
1630 ~~the program's duration and to do so in a fiscally responsible~~  
1631 ~~manner.~~

1632 (3) TITLE TO CERTAIN PROPERTY ACQUIRED WITH PRESERVATION  
1633 2000 BONDS LAND ACQUISITION PROGRAMS SUPPLEMENTED. ~~Less the~~  
1634 ~~costs of issuance, the costs of funding reserve accounts, and~~



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1635 ~~other costs with respect to the bonds, the proceeds of bonds~~  
1636 ~~issued pursuant to this act shall be deposited into the Florida~~  
1637 ~~Preservation 2000 Trust Fund created by s. 375.045. In fiscal~~  
1638 ~~year 2000-2001, for each Florida Preservation 2000 program~~  
1639 ~~described in paragraphs (a)-(g), that portion of each program's~~  
1640 ~~total remaining cash balance which, as of June 30, 2000, is in~~  
1641 ~~excess of that program's total remaining appropriation balances~~  
1642 ~~shall be redistributed by the department and deposited into the~~  
1643 ~~Save Our Everglades Trust Fund for land acquisition. For~~  
1644 ~~purposes of calculating the total remaining cash balances for~~  
1645 ~~this redistribution, the Florida Preservation 2000 Series 2000~~  
1646 ~~bond proceeds, including interest thereon, and the fiscal year~~  
1647 ~~1999-2000 General Appropriations Act amounts shall be deducted~~  
1648 ~~from the remaining cash and appropriation balances,~~  
1649 ~~respectively. The remaining proceeds shall be distributed by the~~  
1650 ~~Department of Environmental Protection in the following manner:~~  
1651 ~~(a) Fifty percent to the Department of Environmental~~  
1652 ~~Protection for the purchase of public lands as described in s.~~  
1653 ~~259.032. Of this 50 percent, at least one-fifth shall be used~~  
1654 ~~for the acquisition of coastal lands.~~  
1655 ~~(b) Thirty percent to the Department of Environmental~~  
1656 ~~Protection for the purchase of water management lands pursuant~~  
1657 ~~to s. 373.59, to be distributed among the water management~~  
1658 ~~districts as provided in that section. Funds received by each~~  
1659 ~~district may also be used for acquisition of lands necessary to~~  
1660 ~~implement surface water improvement and management plans or for~~  
1661 ~~acquisition of lands necessary to implement the Everglades~~  
1662 ~~Construction Project authorized by s. 373.4592.~~  
1663 ~~(c) Ten percent to the Department of Environmental~~



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1664 ~~Protection to provide land acquisition grants and loans to local~~  
1665 ~~governments through the Florida Communities Trust pursuant to~~  
1666 ~~part III of chapter 380. From funds allocated to the trust, \$3~~  
1667 ~~million annually shall be used by the Division of State Lands~~  
1668 ~~within the Department of Environmental Protection to implement~~  
1669 ~~the Green Swamp Land Protection Initiative specifically for the~~  
1670 ~~purchase of conservation easements, as defined in s.~~  
1671 ~~380.0677(3), of lands, or severable interests or rights in~~  
1672 ~~lands, in the Green Swamp Area of Critical State Concern. From~~  
1673 ~~funds allocated to the trust, \$3 million annually shall be used~~  
1674 ~~by the Monroe County Comprehensive Plan Land Authority~~  
1675 ~~specifically for the purchase of a real property interest in~~  
1676 ~~those lands subject to the Rate of Growth Ordinances adopted by~~  
1677 ~~local governments in Monroe County or those lands within the~~  
1678 ~~boundary of an approved Conservation and Recreation Lands~~  
1679 ~~project located within the Florida Keys or Key West Areas of~~  
1680 ~~Critical State Concern; however, title to lands acquired within~~  
1681 ~~the boundary of an approved Conservation and Recreation Lands~~  
1682 ~~project may, in accordance with an approved joint acquisition~~  
1683 ~~agreement, vest in the Board of Trustees of the Internal~~  
1684 ~~Improvement Trust Fund. Of the remaining funds, one-half shall~~  
1685 ~~be matched by local governments on a dollar-for-dollar basis. To~~  
1686 ~~the extent allowed by federal requirements for the use of bond~~  
1687 ~~proceeds, the trust shall expend Preservation 2000 funds to~~  
1688 ~~carry out the purposes of part III of chapter 380.~~

1689 ~~(d) Two and nine-tenths percent to the Department of~~  
1690 ~~Environmental Protection for the purchase of inholdings and~~  
1691 ~~additions to state parks. For the purposes of this paragraph,~~  
1692 ~~"state park" means all real property in the state under the~~



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1693 ~~jurisdiction of the Division of Recreation and Parks of the~~  
1694 ~~department, or which may come under its jurisdiction.~~

1695 ~~(e) Two and nine-tenths percent to the Florida Forest~~  
1696 ~~Service of the Department of Agriculture and Consumer Services~~  
1697 ~~to fund the acquisition of state forest inholdings and additions~~  
1698 ~~pursuant to s. 589.07.~~

1699 ~~(f) Two and nine-tenths percent to the Fish and Wildlife~~  
1700 ~~Conservation Commission to fund the acquisition of inholdings~~  
1701 ~~and additions to lands managed by the commission which are~~  
1702 ~~important to the conservation of fish and wildlife.~~

1703 ~~(g) One and three-tenths percent to the Department of~~  
1704 ~~Environmental Protection for the Florida Greenways and Trails~~  
1705 ~~Program, to acquire greenways and trails or greenways and trails~~  
1706 ~~systems pursuant to chapter 260, including, but not limited to,~~  
1707 ~~abandoned railroad rights-of-way and the Florida National Scenic~~  
1708 ~~Trail.~~

1709

1710 ~~Local governments may use federal grants or loans, private~~  
1711 ~~donations, or environmental mitigation funds, including~~  
1712 ~~environmental mitigation funds required pursuant to s. 338.250,~~  
1713 ~~for any part or all of any local match required for the purposes~~  
1714 ~~described in this subsection. Bond proceeds allocated pursuant~~  
1715 ~~to paragraph (c) may be used to purchase lands on the priority~~  
1716 ~~lists developed pursuant to s. 259.035. Title to lands purchased~~  
1717 ~~pursuant to former paragraphs (a), (d), (e), (f), or ~~and~~ (g) of~~  
1718 ~~this subsection, Florida Statutes 2014, shall be vested in the~~  
1719 ~~Board of Trustees of the Internal Improvement Trust Fund. Title~~  
1720 ~~to lands purchased pursuant to former paragraph (c) of this~~  
1721 ~~subsection, Florida Statutes 2014, may be vested in the Board of~~



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1722 Trustees of the Internal Improvement Trust Fund. The board of  
1723 trustees shall hold title to land protection agreements and  
1724 conservation easements that were ~~or will be~~ acquired pursuant to  
1725 former s. 380.0677, Florida Statutes 2014, and the Southwest  
1726 Florida Water Management District and the St. Johns River Water  
1727 Management District shall monitor such agreements and easements  
1728 within their respective districts until the state assumes this  
1729 responsibility.

1730 ~~(4) PROJECT CRITERIA.—~~

1731 ~~(a) Proceeds of bonds issued pursuant to this act and~~  
1732 ~~distributed pursuant to paragraphs (3) (a) and (b) shall be spent~~  
1733 ~~only on projects which meet at least one of the following~~  
1734 ~~criteria, as determined pursuant to paragraphs (b) and (c):~~

1735 ~~1. A significant portion of the land in the project is in~~  
1736 ~~imminent danger of development, in imminent danger of loss of~~  
1737 ~~its significant natural attributes, or in imminent danger of~~  
1738 ~~subdivision which will result in multiple ownership and may make~~  
1739 ~~acquisition of the project more costly or less likely to be~~  
1740 ~~accomplished;~~

1741 ~~2. Compelling evidence exists that the land is likely to be~~  
1742 ~~developed during the next 12 months, or appraisals made during~~  
1743 ~~the past 5 years indicate an escalation in land value at an~~  
1744 ~~average rate that exceeds the average rate of interest likely to~~  
1745 ~~be paid on the bonds;~~

1746 ~~3. A significant portion of the land in the project serves~~  
1747 ~~to protect or recharge groundwater and to protect other valuable~~  
1748 ~~natural resources or provide space for natural resource based~~  
1749 ~~recreation;~~

1750 ~~4. The project can be purchased at 80 percent of appraised~~



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1751 ~~value or less;~~

1752 ~~5. A significant portion of the land in the project serves~~  
1753 ~~as habitat for endangered, threatened, or rare species or serves~~  
1754 ~~to protect natural communities which are listed by the Florida~~  
1755 ~~Natural Areas Inventory as critically imperiled, imperiled, or~~  
1756 ~~rare, or as excellent quality occurrences of natural~~  
1757 ~~communities; or~~

1758 ~~6. A significant portion of the land serves to preserve~~  
1759 ~~important archaeological or historical sites.~~

1760 ~~(b) Each year that bonds are to be issued pursuant to this~~  
1761 ~~act, the Land Acquisition and Management Advisory Council shall~~  
1762 ~~review that year's approved Conservation and Recreation Lands~~  
1763 ~~priority list and shall, by the first board meeting in February,~~  
1764 ~~present to the Board of Trustees of the Internal Improvement~~  
1765 ~~Trust Fund for approval a listing of projects on the list which~~  
1766 ~~meet one or more of the criteria listed in paragraph (a). The~~  
1767 ~~board may remove projects from the list developed pursuant to~~  
1768 ~~this paragraph, but may not add projects.~~

1769 ~~(c) Each year that bonds are to be issued pursuant to this~~  
1770 ~~act, each water management district governing board shall review~~  
1771 ~~the lands on its current year's Save Our Rivers 5-year plan and~~  
1772 ~~shall, by January 15, adopt a listing of projects from the plan~~  
1773 ~~which meet one or more of the criteria listed in paragraph (a).~~

1774 ~~(d) In the acquisition of coastal lands pursuant to~~  
1775 ~~paragraph (3) (a), the following additional criteria shall also~~  
1776 ~~be considered:~~

1777 ~~1. The value of acquiring coastal high-hazard parcels,~~  
1778 ~~consistent with hazard mitigation and postdisaster redevelopment~~  
1779 ~~policies, in order to minimize the risk to life and property and~~



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1780 ~~to reduce the need for future disaster assistance.~~  
1781 ~~2. The value of acquiring beachfront parcels, irrespective~~  
1782 ~~of size, to provide public access and recreational opportunities~~  
1783 ~~in highly developed urban areas.~~  
1784 ~~3. The value of acquiring identified parcels the~~  
1785 ~~development of which would adversely affect coastal resources.~~  
1786  
1787 ~~When a nonprofit environmental organization which is tax-exempt~~  
1788 ~~pursuant to s. 501(c)(3) of the United States Internal Revenue~~  
1789 ~~Code sells land to the state, such land at the time of such sale~~  
1790 ~~shall be deemed to meet one or more of the criteria listed in~~  
1791 ~~paragraph (a) if such land meets one or more of the criteria at~~  
1792 ~~the time the organization purchases it. Listings of projects~~  
1793 ~~compiled pursuant to paragraphs (b) and (c) may be revised to~~  
1794 ~~include projects on the Conservation and Recreation Lands~~  
1795 ~~priority list or in a water management district's 5-year plan~~  
1796 ~~which come under the criteria in paragraph (a) after the dates~~  
1797 ~~specified in paragraph (b) or paragraph (c). The requirement of~~  
1798 ~~paragraph (3)(a) regarding coastal lands is met as long as an~~  
1799 ~~average of one-fifth of the cumulative proceeds allocated~~  
1800 ~~through fiscal year 1999-2000 pursuant to that paragraph is used~~  
1801 ~~to purchase coastal lands.~~  
1802 ~~(c) The Legislature finds that the Florida Preservation~~  
1803 ~~2000 Program has provided financial resources that have enabled~~  
1804 ~~the acquisition of significant amounts of land for public~~  
1805 ~~ownership in the first 7 years of the program's existence. In~~  
1806 ~~the remaining years of the Florida Preservation 2000 Program,~~  
1807 ~~agencies that receive funds are encouraged to better coordinate~~  
1808 ~~their expenditures so that future acquisitions, when combined~~



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1809 ~~with previous acquisitions, will form more complete patterns of~~  
1810 ~~protection for natural areas and functioning ecosystems to~~  
1811 ~~better accomplish the intent of paragraph (2) (c).~~

1812 ~~(f) The Legislature intends that, in the remaining years of~~  
1813 ~~the Florida Preservation 2000 Program, emphasis be given to the~~  
1814 ~~completion of projects in which one or more parcels have already~~  
1815 ~~been acquired and to the acquisition of lands containing~~  
1816 ~~ecological resources which are either not represented or~~  
1817 ~~underrepresented on lands currently in public ownership. The~~  
1818 ~~Legislature also intends that future acquisitions under the~~  
1819 ~~Florida Preservation 2000 Program be limited to projects on the~~  
1820 ~~current project lists, or any additions to the list as~~  
1821 ~~determined and prioritized by the study, or those projects that~~  
1822 ~~can reasonably be expected to be acquired by the end of the~~  
1823 ~~Florida Preservation 2000 Program.~~

1824 ~~(4) FLORIDA FOREST SERVICE FUND USE.- (5) Any funds~~  
1825 ~~received by the Florida Forest Service from the Preservation~~  
1826 ~~2000 Trust Fund pursuant to paragraph (3) (c) shall be used only~~  
1827 ~~to pay the cost of the acquisition of lands in furtherance of~~  
1828 ~~outdoor recreation and natural resources conservation in this~~  
1829 ~~state. The administration and use of any funds received by the~~  
1830 ~~Florida Forest Service from the Preservation 2000 Trust Fund~~  
1831 ~~will be subject to such terms and conditions imposed thereon by~~  
1832 ~~the agency of the state responsible for the issuance of the~~  
1833 ~~revenue bonds, the proceeds of which are deposited in the~~  
1834 ~~Preservation 2000 Trust Fund, including restrictions imposed to~~  
1835 ~~ensure that the interest on any such revenue bonds issued by the~~  
1836 ~~state as tax-exempt revenue bonds will not be included in the~~  
1837 ~~gross income of the holders of such bonds for federal income tax~~





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1838 ~~purposes.~~ All deeds or leases with respect to any real property  
1839 acquired with Preservation 2000 funds must received by the  
1840 ~~Florida Forest Service from the Preservation 2000 Trust Fund~~  
1841 ~~shall~~ contain sufficient ~~such~~ covenants and restrictions ~~as are~~  
1842 ~~sufficient~~ to ensure that the use of such real property ~~at all~~  
1843 ~~times~~ complies with s. 375.051 and s. 9, Art. XII of the 1968  
1844 Constitution of Florida, ~~and shall contain~~ reverter clauses  
1845 providing for the reversion of title to such property to the  
1846 Board of Trustees of the Internal Improvement Trust Fund or, in  
1847 the case of a lease of such property, providing for termination  
1848 of the lease upon a failure to use the property conveyed thereby  
1849 for such purposes.

1850 (5) ~~(6)~~ DISPOSITION OF LANDS.—

1851 (a) Any lands acquired pursuant to former paragraphs  
1852 ~~paragraph (3) (a), paragraph (3) (c), paragraph (3) (d), paragraph~~  
1853 ~~(3) (e), paragraph (3) (f), or paragraph (3) (g)~~ of this section,  
1854 Florida Statutes 2014, if title to such lands is vested in the  
1855 Board of Trustees of the Internal Improvement Trust Fund, may be  
1856 disposed of by the Board of Trustees of the Internal Improvement  
1857 Trust Fund in accordance with the provisions and procedures set  
1858 forth in s. 253.034(6), and lands acquired pursuant to former  
1859 paragraph (3) (b) of this section, Florida Statutes 2014, may be  
1860 disposed of by the owning water management district in  
1861 accordance with the procedures and provisions set forth in ss.  
1862 373.056 and 373.089 provided such disposition also shall satisfy  
1863 the requirements of paragraphs (b) and (c).

1864 (b) Before land acquired with Preservation 2000 funds may  
1865 be surplusd as required by s. 253.034(6), ~~or~~ determined to be  
1866 no longer required for its purposes under s. 373.056(4), as



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1867 ~~whichever may be~~ applicable, there shall first be a  
1868 determination by the Board of Trustees of the Internal  
1869 Improvement Trust Fund, or, in the case of water management  
1870 district lands, by the owning water management district, that  
1871 such land no longer needs to be preserved in furtherance of the  
1872 intent of the Florida Preservation 2000 Act. Any lands eligible  
1873 to be disposed of under this procedure also may be used to  
1874 acquire other lands through an exchange of lands ~~if, provided~~  
1875 such lands obtained in an exchange are described in the same  
1876 paragraph of former subsection (3) of this section, Florida  
1877 Statutes 2014, as the lands disposed.

1878 (c) ~~Notwithstanding paragraphs (a) and (b), no such~~  
1879 ~~disposition of land shall be made if such disposition would have~~  
1880 ~~the effect of causing all or any portion of the interest on any~~  
1881 ~~revenue bonds issued to fund the Florida Preservation 2000 Act~~  
1882 ~~to lose their exclusion from gross income for purposes of~~  
1883 ~~federal income taxation. Any Revenue derived from the disposal~~  
1884 ~~of such lands acquired with Preservation 2000 funds~~ may not be  
1885 used for any purpose except for deposit into the Florida  
1886 Preservation 2000 Trust Fund, or the Florida Forever Trust Fund  
1887 within the Department of Environmental Protection, for recredit  
1888 to the share held under former subsection (3) of this section,  
1889 Florida Statutes 2014, in which such disposed land is described.

1890 (6)(7) ALTERNATE USES OF ACQUIRED LANDS.-

1891 (a) The Board of Trustees of the Internal Improvement Trust  
1892 Fund, or, in the case of water management district lands, the  
1893 owning water management district, may authorize the granting of  
1894 a lease, easement, or license for the use of any lands acquired  
1895 pursuant to former subsection (3) of this section, Florida



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1896 Statutes 2014, for any governmental use permitted by s. 17, Art.  
1897 IX of the State Constitution of 1885, as adopted by s. 9(a),  
1898 Art. XII of the State Constitution, and any other incidental  
1899 public or private use that is determined by the board or the  
1900 owning water management district to be compatible with the  
1901 purposes for which such lands were acquired.

1902 (b) Any existing lease, easement, or license acquired for  
1903 incidental public or private use on, under, or across any lands  
1904 acquired pursuant to former subsection (3) of this section,  
1905 Florida Statutes 2014, shall be presumed not to be incompatible  
1906 with the purposes for which such lands were acquired.

1907 ~~(c) Notwithstanding the provisions of paragraph (a), no~~  
1908 ~~such lease, easement, or license shall be entered into by the~~  
1909 ~~Department of Environmental Protection or other appropriate~~  
1910 ~~state agency if the granting of such lease, easement, or license~~  
1911 ~~would adversely affect the exclusion of the interest on any~~  
1912 ~~revenue bonds issued to fund the acquisition of the affected~~  
1913 ~~lands from gross income for federal income tax purposes, as~~  
1914 ~~described in s. 375.045(4).~~

1915 (7) ALTERNATIVES TO FEE SIMPLE ACQUISITION.— ~~(8)~~

1916 (a) The Legislature finds that, with the increasing  
1917 pressures on the natural areas of this state, the state must  
1918 develop creative techniques to maximize the use of acquisition  
1919 and management moneys. The Legislature ~~also~~ finds that the  
1920 state's environmental land-buying agencies should be encouraged  
1921 to augment their traditional, fee simple acquisition programs  
1922 with the use of alternatives to fee simple acquisition  
1923 techniques. The Legislature also finds that using alternatives  
1924 to fee simple acquisition by public land-buying agencies will



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1925 achieve the following public policy goals:

1926 1. Allow more lands to be brought under public protection  
1927 for preservation, conservation, and recreational purposes at  
1928 less expense using public funds.

1929 2. Retain, on local government tax rolls, some portion of  
1930 or interest in lands that ~~which~~ are under public protection.

1931 3. Reduce long-term management costs by allowing private  
1932 property owners to continue acting as stewards of the land, as  
1933 ~~where~~ appropriate.

1934  
1935 Therefore, it is the intent of the Legislature that public land-  
1936 buying agencies develop programs to pursue alternatives to fee  
1937 simple acquisition and to educate private landowners about such  
1938 alternatives and the benefits of such alternatives. It also is  
1939 the intent of the Legislature that the department and the water  
1940 management districts spend a portion of their shares of  
1941 Preservation 2000 bond proceeds to purchase eligible properties  
1942 using alternatives to fee simple acquisition. Finally, it is the  
1943 intent of the Legislature that public agencies acquire lands in  
1944 fee simple for public access and recreational activities. Lands  
1945 protected using alternatives to fee simple acquisition  
1946 techniques may ~~shall~~ not be accessible to the public unless such  
1947 access is negotiated with and agreed to by the private  
1948 landowners who retain interests in such lands.

1949 (b) The Land Acquisition Advisory Council and the water  
1950 management districts shall identify, within their 1997  
1951 acquisition plans, those projects that ~~which~~ require a full fee  
1952 simple interest to achieve the public policy goals, along with  
1953 the reasons why full title is determined to be necessary. The



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1954 council and the water management districts may use alternatives  
1955 to fee simple acquisition to bring the remaining projects in  
1956 their acquisition plans under public protection. For the  
1957 purposes of this subsection, the term "alternatives to fee  
1958 simple acquisition" includes the, ~~but is not limited to:~~  
1959 purchase of development rights; conservation easements; flowage  
1960 easements; the purchase of timber rights, mineral rights, or  
1961 hunting rights; the purchase of agricultural interests or  
1962 silvicultural interests; land protection agreements; fee simple  
1963 acquisitions with reservations; or any other acquisition  
1964 technique that ~~which~~ achieves the public policy goals identified  
1965 ~~listed~~ in paragraph (a). It is presumed that a private landowner  
1966 retains the full range of uses for all the rights or interests  
1967 in the landowner's land which are not specifically acquired by  
1968 the public agency. Life estates and fee simple acquisitions with  
1969 leaseback provisions do ~~shall~~ not qualify as an alternative to  
1970 fee simple acquisition under this subsection, although the  
1971 department and the districts are encouraged to use such  
1972 techniques if ~~where~~ appropriate.

1973 (c) The department and each water management district shall  
1974 implement initiatives to use alternatives to fee simple  
1975 acquisition and to educate private landowners about such  
1976 alternatives. These initiatives must ~~shall~~ include at least two  
1977 acquisitions a year by the department and each water management  
1978 district utilizing alternatives to fee simple.

1979 (d) The Legislature finds that the lack of direct sales  
1980 comparison information has served as an impediment to successful  
1981 implementation of alternatives to fee simple acquisition. It is  
1982 the intent of the Legislature that, in the absence of direct



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1983 comparable sales information, appraisals of alternatives to fee  
1984 simple acquisitions be based on the difference between the full  
1985 fee simple valuation and the value of the interests remaining  
1986 with the seller after acquisition.

1987 (e) The public agency that ~~which~~ has been assigned  
1988 management responsibility shall inspect and monitor any less-  
1989 than-fee-simple interest according to the terms of the purchase  
1990 agreement relating to such interest.

1991 (f) The department and the water management districts may  
1992 enter into joint acquisition agreements to jointly fund the  
1993 purchase of lands using alternatives to fee simple techniques.

1994 (8) PUBLIC RECREATIONAL USE.—An agency or water management  
1995 district that acquired lands using Preservation 2000 funds  
1996 distributed pursuant to former subsection (3) of this section,  
1997 Florida Statutes 2014, shall manage such lands to make them  
1998 available for public recreational use if the recreational use  
1999 does not interfere with the protection of natural resource  
2000 values. The agency or district may enter into an agreement with  
2001 the department or another appropriate state agency to transfer  
2002 management authority or lease to such agencies lands purchased  
2003 with Preservation 2000 funds for the purpose of managing the  
2004 lands to make them available for public recreational use. The  
2005 water management districts and the department shall take action  
2006 to control the growth of nonnative invasive plant species on  
2007 lands they manage which were purchased with Preservation 2000  
2008 funds.

2009 Section 26. Section 259.105, Florida Statutes, is amended  
2010 to read:

2011 259.105 The Florida Forever Act.—



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2012 (1) This section may be cited as the "Florida Forever Act."

2013 (2) (a) The Legislature finds and declares that:

2014 1. Land acquisition programs have provided tremendous  
2015 financial resources for purchasing environmentally significant  
2016 lands to protect those lands from imminent development or  
2017 alteration, thereby ensuring present and future generations'  
2018 access to important waterways, open spaces, and recreation and  
2019 conservation lands.

2020 2. The continued alteration and development of Florida's  
2021 natural and rural areas to accommodate the state's growing  
2022 population have contributed to the degradation of water  
2023 resources, the fragmentation and destruction of wildlife  
2024 habitats, the loss of outdoor recreation space, and the  
2025 diminishment of wetlands, forests, working landscapes, and  
2026 coastal open space.

2027 3. The potential development of Florida's remaining natural  
2028 areas and escalation of land values require government efforts  
2029 to restore, bring under public protection, or acquire lands and  
2030 water areas to preserve the state's essential ecological  
2031 functions and invaluable quality of life.

2032 4. It is essential to protect the state's ecosystems by  
2033 promoting a more efficient use of land, to ensure opportunities  
2034 for viable agricultural activities on working lands, and to  
2035 promote vital rural and urban communities that support and  
2036 produce development patterns consistent with natural resource  
2037 protection.

2038 5. Florida's groundwater, surface waters, and springs are  
2039 under tremendous pressure due to population growth and economic  
2040 expansion and require special protection and restoration



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2041 efforts, including the protection of uplands and springsheds  
2042 that provide vital recharge to aquifer systems and are critical  
2043 to the protection of water quality and water quantity of the  
2044 aquifers and springs. To ensure that sufficient quantities of  
2045 water are available to meet the current and future needs of the  
2046 natural systems and citizens of the state, and assist in  
2047 achieving the planning goals of the department and the water  
2048 management districts, water resource development projects on  
2049 public lands, where compatible with the resource values of and  
2050 management objectives for the lands, are appropriate.

2051 6. The needs of urban, suburban, and small communities in  
2052 Florida for high-quality outdoor recreational opportunities,  
2053 greenways, trails, and open space have not been fully met by  
2054 previous acquisition programs. Through such programs as the  
2055 Florida Communities Trust and the Florida Recreation Development  
2056 Assistance Program, the state shall place additional emphasis on  
2057 acquiring, protecting, preserving, and restoring open space,  
2058 ecological greenways, and recreation properties within urban,  
2059 suburban, and rural areas where pristine natural communities or  
2060 water bodies no longer exist because of the proximity of  
2061 developed property.

2062 7. Many of Florida's unique ecosystems, such as the Florida  
2063 Everglades, are facing ecological collapse due to Florida's  
2064 burgeoning population growth and other economic activities. To  
2065 preserve these valuable ecosystems for future generations,  
2066 essential parcels of land must be acquired to facilitate  
2067 ecosystem restoration.

2068 8. Access to public lands to support a broad range of  
2069 outdoor recreational opportunities and the development of





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2070 necessary infrastructure, where compatible with the resource  
2071 values of and management objectives for such lands, promotes an  
2072 appreciation for Florida's natural assets and improves the  
2073 quality of life.

2074         9. Acquisition of lands, in fee simple, less-than-fee  
2075 interest, or other techniques shall be based on a comprehensive  
2076 science-based assessment of Florida's natural resources which  
2077 targets essential conservation lands by prioritizing all current  
2078 and future acquisitions based on a uniform set of data and  
2079 planned so as to protect the integrity and function of  
2080 ecological systems and working landscapes, and provide multiple  
2081 benefits, including preservation of fish and wildlife habitat,  
2082 recreation space for urban and rural areas, and the restoration  
2083 of natural water storage, flow, and recharge.

2084         10. The state has embraced performance-based program  
2085 budgeting as a tool to evaluate the achievements of publicly  
2086 funded agencies, build in accountability, and reward those  
2087 agencies which are able to consistently achieve quantifiable  
2088 goals. While previous and existing state environmental programs  
2089 have achieved varying degrees of success, few of these programs  
2090 can be evaluated as to the extent of their achievements,  
2091 primarily because performance measures, standards, outcomes, and  
2092 goals were not established at the outset. Therefore, the Florida  
2093 Forever program shall be developed and implemented in the  
2094 context of measurable state goals and objectives.

2095         11. The state must play a major role in the recovery and  
2096 management of its imperiled species through the acquisition,  
2097 restoration, enhancement, and management of ecosystems that can  
2098 support the major life functions of such species. It is the



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2099 intent of the Legislature to support local, state, and federal  
2100 programs that result in net benefit to imperiled species habitat  
2101 by providing public and private land owners meaningful  
2102 incentives for acquiring, restoring, managing, and repopulating  
2103 habitats for imperiled species. It is the further intent of the  
2104 Legislature that public lands, both existing and to be acquired,  
2105 identified by the lead land managing agency, in consultation  
2106 with the Florida Fish and Wildlife Conservation Commission for  
2107 animals or the Department of Agriculture and Consumer Services  
2108 for plants, as habitat or potentially restorable habitat for  
2109 imperiled species, be restored, enhanced, managed, and  
2110 repopulated as habitat for such species to advance the goals and  
2111 objectives of imperiled species management consistent with the  
2112 purposes for which such lands are acquired without restricting  
2113 other uses identified in the management plan. It is also the  
2114 intent of the Legislature that of the proceeds distributed  
2115 pursuant to subsection (3), additional consideration be given to  
2116 acquisitions that achieve a combination of conservation goals,  
2117 including the restoration, enhancement, management, or  
2118 repopulation of habitat for imperiled species. The Acquisition  
2119 and Restoration Council, in addition to the criteria in  
2120 subsection (9), shall give weight to projects that include  
2121 acquisition, restoration, management, or repopulation of habitat  
2122 for imperiled species. The term "imperiled species" as used in  
2123 this chapter and chapter 253, means plants and animals that are  
2124 federally listed under the Endangered Species Act, or state-  
2125 listed by the Fish and Wildlife Conservation Commission or the  
2126 Department of Agriculture and Consumer Services.

2127 a. As part of the state's role, all state lands that have



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2128 imperiled species habitat shall include as a consideration in  
2129 management plan development the restoration, enhancement,  
2130 management, and repopulation of such habitats. In addition, the  
2131 lead land managing agency of such state lands may use fees  
2132 received from public or private entities for projects to offset  
2133 adverse impacts to imperiled species or their habitat in order  
2134 to restore, enhance, manage, repopulate, or acquire land and to  
2135 implement land management plans developed under s. 253.034 or a  
2136 land management prospectus developed and implemented under this  
2137 chapter. Such fees shall be deposited into a foundation or fund  
2138 created by each land management agency under s. 379.223, s.  
2139 589.012, or s. 259.032(9)(c) ~~s. 259.032(11)(c)~~, to be used  
2140 solely to restore, manage, enhance, repopulate, or acquire  
2141 imperiled species habitat.

2142       b. Where habitat or potentially restorable habitat for  
2143 imperiled species is located on state lands, the Fish and  
2144 Wildlife Conservation Commission and the Department of  
2145 Agriculture and Consumer Services shall be included on any  
2146 advisory group required under chapter 253, and the short-term  
2147 and long-term management goals required under chapter 253 must  
2148 advance the goals and objectives of imperiled species management  
2149 consistent with the purposes for which the land was acquired  
2150 without restricting other uses identified in the management  
2151 plan.

2152       12. There is a need to change the focus and direction of  
2153 the state's major land acquisition programs and to extend  
2154 funding and bonding capabilities, so that future generations may  
2155 enjoy the natural resources of this state.

2156       (b) The Legislature recognizes that acquisition of lands in



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2157 fee simple is only one way to achieve the aforementioned goals  
2158 and encourages the use of less-than-fee interests, other  
2159 techniques, and the development of creative partnerships between  
2160 governmental agencies and private landowners. Such partnerships  
2161 may include those that advance the restoration, enhancement,  
2162 management, or repopulation of imperiled species habitat on  
2163 state lands as provided for in subparagraph (a)11. Easements  
2164 acquired pursuant to s. 570.71(2)(a) and (b), land protection  
2165 agreements, and nonstate funded tools such as rural land  
2166 stewardship areas, sector planning, and mitigation should be  
2167 used, where appropriate, to bring environmentally sensitive  
2168 tracts under an acceptable level of protection at a lower  
2169 financial cost to the public, and to provide private landowners  
2170 with the opportunity to enjoy and benefit from their property.

2171 (c) Public agencies or other entities that receive funds  
2172 under this section shall coordinate their expenditures so that  
2173 project acquisitions, when combined with acquisitions under  
2174 Florida Forever, Preservation 2000, Save Our Rivers, the Florida  
2175 Communities Trust, other public land acquisition programs, and  
2176 the techniques, partnerships, and tools referenced in  
2177 subparagraph (a)11. and paragraph (b), are used to form more  
2178 complete patterns of protection for natural areas, ecological  
2179 greenways, and functioning ecosystems, to better accomplish the  
2180 intent of this section.

2181 (d) A long-term financial commitment to restoring,  
2182 enhancing, and managing Florida's public lands in order to  
2183 implement land management plans developed under s. 253.034 or a  
2184 land management prospectus developed and implemented under this  
2185 chapter must accompany any land acquisition program to ensure



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2186 that the natural resource values of such lands are restored,  
2187 enhanced, managed, and protected; that the public enjoys the  
2188 lands to their fullest potential; and that the state achieves  
2189 the full benefits of its investment of public dollars.  
2190 Innovative strategies such as public-private partnerships and  
2191 interagency planning and sharing of resources shall be used to  
2192 achieve the state's management goals.

2193 (e) With limited dollars available for restoration,  
2194 enhancement, management, and acquisition of land and water areas  
2195 and for providing long-term management and capital improvements,  
2196 a competitive selection process shall select those projects best  
2197 able to meet the goals of Florida Forever and maximize the  
2198 efficient use of the program's funding.

2199 (f) To ensure success and provide accountability to the  
2200 citizens of this state, it is the intent of the Legislature that  
2201 any cash or bond proceeds used pursuant to this section be used  
2202 to implement the goals and objectives recommended by a  
2203 comprehensive science-based assessment and approved by the Board  
2204 of Trustees of the Internal Improvement Trust Fund and the  
2205 Legislature.

2206 (g) As it has with previous land acquisition programs, the  
2207 Legislature recognizes the desires of the residents of this  
2208 state to prosper through economic development and to preserve,  
2209 restore, and manage the state's natural areas and recreational  
2210 open space. The Legislature further recognizes the urgency of  
2211 restoring the natural functions, including wildlife and  
2212 imperiled species habitat functions, of public lands or water  
2213 bodies before they are degraded to a point where recovery may  
2214 never occur, yet acknowledges the difficulty of ensuring



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2215 adequate funding for restoration, enhancement, and management  
2216 efforts in light of other equally critical financial needs of  
2217 the state. It is the Legislature's desire and intent to fund the  
2218 implementation of this section and to do so in a fiscally  
2219 responsible manner, by issuing bonds to be repaid with  
2220 documentary stamp tax or other revenue sources, including those  
2221 identified in subparagraph (a)11.

2222 (h) The Legislature further recognizes the important role  
2223 that many of our state and federal military installations  
2224 contribute to protecting and preserving Florida's natural  
2225 resources as well as our economic prosperity. Where the state's  
2226 land conservation plans overlap with the military's need to  
2227 protect lands, waters, and habitat to ensure the sustainability  
2228 of military missions, it is the Legislature's intent that  
2229 agencies receiving funds under this program cooperate with our  
2230 military partners to protect and buffer military installations  
2231 and military airspace, by:

2232 1. Protecting habitat on nonmilitary land for any species  
2233 found on military land that is designated as threatened or  
2234 endangered, or is a candidate for such designation under the  
2235 Endangered Species Act or any Florida statute;

2236 2. Protecting areas underlying low-level military air  
2237 corridors or operating areas;

2238 3. Protecting areas identified as clear zones, accident  
2239 potential zones, and air installation compatible use buffer  
2240 zones delineated by our military partners; and

2241 4. Providing the military with technical assistance to  
2242 restore, enhance, and manage military land as habitat for  
2243 imperiled species or species designated as threatened or



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2244 endangered, or a candidate for such designation, and for the  
2245 recovery or reestablishment of such species.

2246 (3) Less the costs of issuing and the costs of funding  
2247 reserve accounts and other costs associated with bonds, the  
2248 proceeds of cash payments or bonds issued pursuant to this  
2249 section shall be deposited into the Florida Forever Trust Fund  
2250 created by s. 259.1051. The proceeds shall be distributed by the  
2251 Department of Environmental Protection in the following manner:

2252 (a) Thirty percent to the Department of Environmental  
2253 Protection for the acquisition of lands and capital project  
2254 expenditures necessary to implement the water management  
2255 districts' priority lists developed pursuant to s. 373.199. The  
2256 funds are to be distributed to the water management districts as  
2257 provided in subsection (11). A minimum of 50 percent of the  
2258 total funds provided over the life of the Florida Forever  
2259 program pursuant to this paragraph shall be used for the  
2260 acquisition of lands.

2261 (b) Thirty-five percent to the Department of Environmental  
2262 Protection for the acquisition of lands and capital project  
2263 expenditures described in this section. Of the proceeds  
2264 distributed pursuant to this paragraph, it is the intent of the  
2265 Legislature that an increased priority be given to those  
2266 acquisitions which achieve a combination of conservation goals,  
2267 including protecting Florida's water resources and natural  
2268 groundwater recharge. At a minimum, 3 percent, and no more than  
2269 10 percent, of the funds allocated pursuant to this paragraph  
2270 shall be spent on capital project expenditures identified during  
2271 the time of acquisition which meet land management planning  
2272 activities necessary for public access.



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2273 (c) Twenty-one percent to the Department of Environmental  
2274 Protection for use by the Florida Communities Trust for the  
2275 purposes of part III of chapter 380, as described and limited by  
2276 this subsection, and grants to local governments or nonprofit  
2277 environmental organizations that are tax-exempt under s.  
2278 501(c)(3) of the United States Internal Revenue Code for the  
2279 acquisition of community-based projects, urban open spaces,  
2280 parks, and greenways to implement local government comprehensive  
2281 plans. From funds available to the trust and used for land  
2282 acquisition, 75 percent shall be matched by local governments on  
2283 a dollar-for-dollar basis. The Legislature intends that the  
2284 Florida Communities Trust emphasize funding projects in low-  
2285 income or otherwise disadvantaged communities and projects that  
2286 provide areas for direct water access and water-dependent  
2287 facilities that are open to the public and offer public access  
2288 by vessels to waters of the state, including boat ramps and  
2289 associated parking and other support facilities. At least 30  
2290 percent of the total allocation provided to the trust shall be  
2291 used in Standard Metropolitan Statistical Areas, but one-half of  
2292 that amount shall be used in localities in which the project  
2293 site is located in built-up commercial, industrial, or mixed-use  
2294 areas and functions to intersperse open spaces within congested  
2295 urban core areas. From funds allocated to the trust, no less  
2296 than 5 percent shall be used to acquire lands for recreational  
2297 trail systems, provided that in the event these funds are not  
2298 needed for such projects, they will be available for other trust  
2299 projects. Local governments may use federal grants or loans,  
2300 private donations, or environmental mitigation funds, including  
2301 environmental mitigation funds required pursuant to s. 338.250,





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2302 for any part or all of any local match required for acquisitions  
2303 funded through the Florida Communities Trust. Any lands  
2304 purchased by nonprofit organizations using funds allocated under  
2305 this paragraph must provide for such lands to remain permanently  
2306 in public use through a reversion of title to local or state  
2307 government, conservation easement, or other appropriate  
2308 mechanism. Projects funded with funds allocated to the trust  
2309 shall be selected in a competitive process measured against  
2310 criteria adopted in rule by the trust.

2311 (d) Two percent to the Department of Environmental  
2312 Protection for grants pursuant to s. 375.075.

2313 (e) One and five-tenths percent to the Department of  
2314 Environmental Protection for the purchase of inholdings and  
2315 additions to state parks and for capital project expenditures as  
2316 described in this section. At a minimum, 1 percent, and no more  
2317 than 10 percent, of the funds allocated pursuant to this  
2318 paragraph shall be spent on capital project expenditures  
2319 identified during the time of acquisition which meet land  
2320 management planning activities necessary for public access. For  
2321 the purposes of this paragraph, "state park" means any real  
2322 property in the state which is under the jurisdiction of the  
2323 Division of Recreation and Parks of the department, or which may  
2324 come under its jurisdiction.

2325 (f) One and five-tenths percent to the Florida Forest  
2326 Service of the Department of Agriculture and Consumer Services  
2327 to fund the acquisition of state forest inholdings and additions  
2328 pursuant to s. 589.07, the implementation of reforestation plans  
2329 or sustainable forestry management practices, and for capital  
2330 project expenditures as described in this section. At a minimum,



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2331 1 percent, and no more than 10 percent, of the funds allocated  
2332 for the acquisition of inholdings and additions pursuant to this  
2333 paragraph shall be spent on capital project expenditures  
2334 identified during the time of acquisition which meet land  
2335 management planning activities necessary for public access.

2336 (g) One and five-tenths percent to the Fish and Wildlife  
2337 Conservation Commission to fund the acquisition of inholdings  
2338 and additions to lands managed by the commission which are  
2339 important to the conservation of fish and wildlife and for  
2340 capital project expenditures as described in this section. At a  
2341 minimum, 1 percent, and no more than 10 percent, of the funds  
2342 allocated pursuant to this paragraph shall be spent on capital  
2343 project expenditures identified during the time of acquisition  
2344 which meet land management planning activities necessary for  
2345 public access.

2346 (h) One and five-tenths percent to the Department of  
2347 Environmental Protection for the Florida Greenways and Trails  
2348 Program, to acquire greenways and trails or greenways and trail  
2349 systems pursuant to chapter 260, including, but not limited to,  
2350 abandoned railroad rights-of-way and the Florida National Scenic  
2351 Trail and for capital project expenditures as described in this  
2352 section. At a minimum, 1 percent, and no more than 10 percent,  
2353 of the funds allocated pursuant to this paragraph shall be spent  
2354 on capital project expenditures identified during the time of  
2355 acquisition which meet land management planning activities  
2356 necessary for public access.

2357 (i) Three and five-tenths percent to the Department of  
2358 Agriculture and Consumer Services for the acquisition of  
2359 agricultural lands, through perpetual conservation easements and



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2360 other perpetual less-than-fee techniques, which will achieve the  
2361 objectives of Florida Forever and s. 570.71. Rules concerning  
2362 the application, acquisition, and priority ranking process for  
2363 such easements shall be developed pursuant to s. 570.71(10) and  
2364 as provided by this paragraph. The board shall ensure that such  
2365 rules are consistent with the acquisition process provided for  
2366 in s. 259.041. Provisions of the rules developed pursuant to s.  
2367 570.71(10), shall also provide for the following:

2368         1. An annual priority list shall be developed pursuant to  
2369 s. 570.71(10), submitted to the Acquisition and Restoration  
2370 Council for review, and approved by the board pursuant to s.  
2371 259.04.

2372         2. Terms of easements and acquisitions proposed pursuant to  
2373 this paragraph shall be approved by the board and shall not be  
2374 delegated by the board to any other entity receiving funds under  
2375 this section.

2376         3. All acquisitions pursuant to this paragraph shall  
2377 contain a clear statement that they are subject to legislative  
2378 appropriation.

2379  
2380 No funds provided under this paragraph shall be expended until  
2381 final adoption of rules by the board pursuant to s. 570.71.

2382         (j) Two and five-tenths percent to the Department of  
2383 Environmental Protection for the acquisition of land and capital  
2384 project expenditures necessary to implement the Stan Mayfield  
2385 Working Waterfronts Program within the Florida Communities Trust  
2386 pursuant to s. 380.5105.

2387         (k) It is the intent of the Legislature that cash payments  
2388 or proceeds of Florida Forever bonds distributed under this



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2389 section shall be expended in an efficient and fiscally  
2390 responsible manner. An agency that receives proceeds from  
2391 Florida Forever bonds under this section may not maintain a  
2392 balance of unencumbered funds in its Florida Forever subaccount  
2393 beyond 3 fiscal years from the date of deposit of funds from  
2394 each bond issue. Any funds that have not been expended or  
2395 encumbered after 3 fiscal years from the date of deposit shall  
2396 be distributed by the Legislature at its next regular session  
2397 for use in the Florida Forever program.

2398 (1) For the purposes of paragraphs (e), (f), (g), and (h),  
2399 the agencies that receive the funds shall develop their  
2400 individual acquisition or restoration lists in accordance with  
2401 specific criteria and numeric performance measures developed  
2402 pursuant s. 259.035(4). Proposed additions may be acquired if  
2403 they are identified within the original project boundary, the  
2404 management plan required pursuant to s. 253.034(5), or the  
2405 management prospectus required pursuant to s. 259.032(7)(d) ~~s.~~  
2406 ~~259.032(9)(d)~~. Proposed additions not meeting the requirements  
2407 of this paragraph shall be submitted to the Acquisition and  
2408 Restoration Council for approval. The council may only approve  
2409 the proposed addition if it meets two or more of the following  
2410 criteria: serves as a link or corridor to other publicly owned  
2411 property; enhances the protection or management of the property;  
2412 would add a desirable resource to the property; would create a  
2413 more manageable boundary configuration; has a high resource  
2414 value that otherwise would be unprotected; or can be acquired at  
2415 less than fair market value.

2416 ~~(m) Notwithstanding paragraphs (a) - (j) and for the 2014-~~  
2417 ~~2015 fiscal year only:~~



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2418 ~~1. Five million dollars to the Department of Agriculture~~  
2419 ~~and Consumer Services for the acquisition of agricultural lands~~  
2420 ~~through perpetual conservation easements and other perpetual~~  
2421 ~~less than fee techniques, which will achieve the objectives of~~  
2422 ~~Florida Forever and s. 570.71.~~

2423 ~~2. The remaining moneys appropriated from the Florida~~  
2424 ~~Forever Trust Fund shall be distributed only to the Division of~~  
2425 ~~State Lands within the Department of Environmental Protection~~  
2426 ~~for land acquisitions that are less than fee interest, for~~  
2427 ~~partnerships in which the state's portion of the acquisition~~  
2428 ~~cost is no more than 50 percent, or for conservation lands~~  
2429 ~~needed for military buffering or springs or water resources~~  
2430 ~~protection.~~

2431  
2432 ~~This paragraph expires July 1, 2015.~~

2433 ~~(4) Notwithstanding subsection (3) and for the 2014-2015~~  
2434 ~~fiscal year only, the funds appropriated in section 56 of the~~  
2435 ~~2014-2015 General Appropriations Act may be provided to water~~  
2436 ~~management districts for land acquisitions, including less than~~  
2437 ~~fee interest, identified by water management districts as being~~  
2438 ~~needed for water resource protection or ecosystem restoration.~~  
2439 ~~This subsection expires July 1, 2015.~~

2440 ~~(4)(5)~~ It is the intent of the Legislature that projects or  
2441 acquisitions funded pursuant to paragraphs (3) (a) and (b)  
2442 contribute to the achievement of the following goals, which  
2443 shall be evaluated in accordance with specific criteria and  
2444 numeric performance measures developed pursuant s. 259.035(4):

2445 (a) Enhance the coordination and completion of land  
2446 acquisition projects, as measured by:



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2447           1. The number of acres acquired through the state's land  
2448 acquisition programs that contribute to the enhancement of  
2449 essential natural resources, ecosystem service parcels, and  
2450 connecting linkage corridors as identified and developed by the  
2451 best available scientific analysis;

2452           2. The number of acres protected through the use of  
2453 alternatives to fee simple acquisition; or

2454           3. The number of shared acquisition projects among Florida  
2455 Forever funding partners and partners with other funding  
2456 sources, including local governments and the Federal Government.

2457           (b) Increase the protection of Florida's biodiversity at  
2458 the species, natural community, and landscape levels, as  
2459 measured by:

2460           1. The number of acres acquired of significant strategic  
2461 habitat conservation areas;

2462           2. The number of acres acquired of highest priority  
2463 conservation areas for Florida's rarest species;

2464           3. The number of acres acquired of significant landscapes,  
2465 landscape linkages, and conservation corridors, giving priority  
2466 to completing linkages;

2467           4. The number of acres acquired of underrepresented native  
2468 ecosystems;

2469           5. The number of landscape-sized protection areas of at  
2470 least 50,000 acres that exhibit a mosaic of predominantly intact  
2471 or restorable natural communities established through new  
2472 acquisition projects or augmentations to previous projects; or

2473           6. The percentage increase in the number of occurrences of  
2474 imperiled species on publicly managed conservation areas.

2475           (c) Protect, restore, and maintain the quality and natural



2476 functions of land, water, and wetland systems of the state, as  
2477 measured by:

2478 1. The number of acres of publicly owned land identified as  
2479 needing restoration, enhancement, and management, acres  
2480 undergoing restoration or enhancement, acres with restoration  
2481 activities completed, and acres managed to maintain such  
2482 restored or enhanced conditions; the number of acres which  
2483 represent actual or potential imperiled species habitat; the  
2484 number of acres which are available pursuant to a management  
2485 plan to restore, enhance, repopulate, and manage imperiled  
2486 species habitat; and the number of acres of imperiled species  
2487 habitat managed, restored, enhanced, repopulated, or acquired;

2488 2. The percentage of water segments that fully meet,  
2489 partially meet, or do not meet their designated uses as reported  
2490 in the Department of Environmental Protection's State Water  
2491 Quality Assessment 305(b) Report;

2492 3. The percentage completion of targeted capital  
2493 improvements in surface water improvement and management plans  
2494 created under s. 373.453(2), regional or master stormwater  
2495 management system plans, or other adopted restoration plans;

2496 4. The number of acres acquired that protect natural  
2497 floodplain functions;

2498 5. The number of acres acquired that protect surface waters  
2499 of the state;

2500 6. The number of acres identified for acquisition to  
2501 minimize damage from flooding and the percentage of those acres  
2502 acquired;

2503 7. The number of acres acquired that protect fragile  
2504 coastal resources;



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2505           8. The number of acres of functional wetland systems  
2506 protected;

2507           9. The percentage of miles of critically eroding beaches  
2508 contiguous with public lands that are restored or protected from  
2509 further erosion;

2510           10. The percentage of public lakes and rivers in which  
2511 invasive, nonnative aquatic plants are under maintenance  
2512 control; or

2513           11. The number of acres of public conservation lands in  
2514 which upland invasive, exotic plants are under maintenance  
2515 control.

2516           (d) Ensure that sufficient quantities of water are  
2517 available to meet the current and future needs of natural  
2518 systems and the citizens of the state, as measured by:

2519           1. The number of acres acquired which provide retention and  
2520 storage of surface water in naturally occurring storage areas,  
2521 such as lakes and wetlands, consistent with the maintenance of  
2522 water resources or water supplies and consistent with district  
2523 water supply plans;

2524           2. The quantity of water made available through the water  
2525 resource development component of a district water supply plan  
2526 for which a water management district is responsible; or

2527           3. The number of acres acquired of groundwater recharge  
2528 areas critical to springs, sinks, aquifers, other natural  
2529 systems, or water supply.

2530           (e) Increase natural resource-based public recreational and  
2531 educational opportunities, as measured by:

2532           1. The number of acres acquired that are available for  
2533 natural resource-based public recreation or education;





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2534           2. The miles of trails that are available for public  
2535 recreation, giving priority to those that provide significant  
2536 connections including those that will assist in completing the  
2537 Florida National Scenic Trail; or

2538           3. The number of new resource-based recreation facilities,  
2539 by type, made available on public land.

2540           (f) Preserve significant archaeological or historic sites,  
2541 as measured by:

2542           1. The increase in the number of and percentage of historic  
2543 and archaeological properties listed in the Florida Master Site  
2544 File or National Register of Historic Places which are protected  
2545 or preserved for public use; or

2546           2. The increase in the number and percentage of historic  
2547 and archaeological properties that are in state ownership.

2548           (g) Increase the amount of forestland available for  
2549 sustainable management of natural resources, as measured by:

2550           1. The number of acres acquired that are available for  
2551 sustainable forest management;

2552           2. The number of acres of state-owned forestland managed  
2553 for economic return in accordance with current best management  
2554 practices;

2555           3. The number of acres of forestland acquired that will  
2556 serve to maintain natural groundwater recharge functions; or

2557           4. The percentage and number of acres identified for  
2558 restoration actually restored by reforestation.

2559           (h) Increase the amount of open space available in urban  
2560 areas, as measured by:

2561           1. The percentage of local governments that participate in  
2562 land acquisition programs and acquire open space in urban cores;



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2563 or

2564           2. The percentage and number of acres of purchases of open  
2565 space within urban service areas.

2566

2567 Florida Forever projects and acquisitions funded pursuant to  
2568 paragraph (3)(c) shall be measured by goals developed by rule by  
2569 the Florida Communities Trust Governing Board created in s.  
2570 380.504.

2571           ~~(5)-(6)~~(a) All lands acquired pursuant to this section shall  
2572 be managed for multiple-use purposes, where compatible with the  
2573 resource values of and management objectives for such lands. As  
2574 used in this section, "multiple-use" includes, but is not  
2575 limited to, outdoor recreational activities as described in ss.  
2576 253.034 and 259.032(7)(b) ~~259.032(9)(b)~~, water resource  
2577 development projects, sustainable forestry management, carbon  
2578 sequestration, carbon mitigation, or carbon offsets.

2579           (b) Upon a decision by the entity in which title to lands  
2580 acquired pursuant to this section has vested, such lands may be  
2581 designated single use as defined in s. 253.034(2)(b).

2582           (c) For purposes of this section, the Board of Trustees of  
2583 the Internal Improvement Trust Fund shall adopt rules that  
2584 pertain to the use of state lands for carbon sequestration,  
2585 carbon mitigation, or carbon offsets and that provide for  
2586 climate-change-related benefits.

2587           ~~(6)-(7)~~ As provided in this section, a water resource or  
2588 water supply development project may be allowed only if the  
2589 following conditions are met: minimum flows and levels have been  
2590 established for those waters, if any, which may reasonably be  
2591 expected to experience significant harm to water resources as a



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2592 result of the project; the project complies with all applicable  
2593 permitting requirements; and the project is consistent with the  
2594 regional water supply plan, if any, of the water management  
2595 district and with relevant recovery or prevention strategies if  
2596 required pursuant to s. 373.0421(2).

2597 ~~(7)~~ (8) (a) Beginning no later than July 1, 2001, and every  
2598 year thereafter, the Acquisition and Restoration Council shall  
2599 accept applications from state agencies, local governments,  
2600 nonprofit and for-profit organizations, private land trusts, and  
2601 individuals for project proposals eligible for funding pursuant  
2602 to paragraph (3) (b). The council shall evaluate the proposals  
2603 received pursuant to this subsection to ensure that they meet at  
2604 least one of the criteria under subsection (8) ~~(9)~~.

2605 (b) Project applications shall contain, at a minimum, the  
2606 following:

2607 1. A minimum of two numeric performance measures that  
2608 directly relate to the overall goals adopted by the council.  
2609 Each performance measure shall include a baseline measurement,  
2610 which is the current situation; a performance standard which the  
2611 project sponsor anticipates the project will achieve; and the  
2612 performance measurement itself, which should reflect the  
2613 incremental improvements the project accomplishes towards  
2614 achieving the performance standard.

2615 2. Proof that property owners within any proposed  
2616 acquisition have been notified of their inclusion in the  
2617 proposed project. Any property owner may request the removal of  
2618 such property from further consideration by submitting a request  
2619 to the project sponsor or the Acquisition and Restoration  
2620 Council by certified mail. Upon receiving this request, the



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2621 council shall delete the property from the proposed project;  
2622 however, the board of trustees, at the time it votes to approve  
2623 the proposed project lists pursuant to subsection (15) ~~(16)~~, may  
2624 add the property back on to the project lists if it determines  
2625 by a super majority of its members that such property is  
2626 critical to achieve the purposes of the project.

2627 (c) The title to lands acquired under this section shall  
2628 vest in the Board of Trustees of the Internal Improvement Trust  
2629 Fund, except that title to lands acquired by a water management  
2630 district shall vest in the name of that district and lands  
2631 acquired by a local government shall vest in the name of the  
2632 purchasing local government.

2633 (8) ~~(9)~~ The Acquisition and Restoration Council shall  
2634 develop a project list that shall represent those projects  
2635 submitted pursuant to subsection (6) ~~(7)~~.

2636 (9) ~~(10)~~ The Acquisition and Restoration Council shall  
2637 recommend rules for adoption by the board of trustees to  
2638 competitively evaluate, select, and rank projects eligible for  
2639 Florida Forever funds pursuant to paragraph (3) (b) ~~and for~~  
2640 ~~additions to the Conservation and Recreation Lands list pursuant~~  
2641 ~~to ss. 259.032 and 259.101(4)~~. In developing these proposed  
2642 rules, the Acquisition and Restoration Council shall give weight  
2643 to the following criteria:

2644 (a) The project meets multiple goals described in  
2645 subsection (4).

2646 (b) The project is part of an ongoing governmental effort  
2647 to restore, protect, or develop land areas or water resources.

2648 (c) The project enhances or facilitates management of  
2649 properties already under public ownership.



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- 2650 (d) The project has significant archaeological or historic  
2651 value.
- 2652 (e) The project has funding sources that are identified and  
2653 assured through at least the first 2 years of the project.
- 2654 (f) The project contributes to the solution of water  
2655 resource problems on a regional basis.
- 2656 (g) The project has a significant portion of its land area  
2657 in imminent danger of development, in imminent danger of losing  
2658 its significant natural attributes or recreational open space,  
2659 or in imminent danger of subdivision which would result in  
2660 multiple ownership and make acquisition of the project costly or  
2661 less likely to be accomplished.
- 2662 (h) The project implements an element from a plan developed  
2663 by an ecosystem management team.
- 2664 (i) The project is one of the components of the Everglades  
2665 restoration effort.
- 2666 (j) The project may be purchased at 80 percent of appraised  
2667 value.
- 2668 (k) The project may be acquired, in whole or in part, using  
2669 alternatives to fee simple, including but not limited to, tax  
2670 incentives, mitigation funds, or other revenues; the purchase of  
2671 development rights, hunting rights, agricultural or  
2672 silvicultural rights, or mineral rights; or obtaining  
2673 conservation easements or flowage easements.
- 2674 (l) The project is a joint acquisition, either among public  
2675 agencies, nonprofit organizations, or private entities, or by a  
2676 public-private partnership.
- 2677 (10)~~(11)~~ The Acquisition and Restoration Council shall give  
2678 increased priority to those projects for which matching funds



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2679 are available and to project elements previously identified on  
2680 an acquisition list pursuant to this section that can be  
2681 acquired at 80 percent or less of appraised value. The council  
2682 shall also give increased priority to those projects where the  
2683 state's land conservation plans overlap with the military's need  
2684 to protect lands, water, and habitat to ensure the  
2685 sustainability of military missions including:

2686 (a) Protecting habitat on nonmilitary land for any species  
2687 found on military land that is designated as threatened or  
2688 endangered, or is a candidate for such designation under the  
2689 Endangered Species Act or any Florida statute;

2690 (b) Protecting areas underlying low-level military air  
2691 corridors or operating areas; and

2692 (c) Protecting areas identified as clear zones, accident  
2693 potential zones, and air installation compatible use buffer  
2694 zones delineated by our military partners, and for which federal  
2695 or other funding is available to assist with the project.

2696 (11)~~(12)~~ For the purposes of funding projects pursuant to  
2697 paragraph (3) (a), the Secretary of Environmental Protection  
2698 shall ensure that each water management district receives the  
2699 following percentage of funds annually:

2700 (a) Thirty-five percent to the South Florida Water  
2701 Management District, of which amount \$25 million for 2 years  
2702 beginning in fiscal year 2000-2001 shall be transferred by the  
2703 Department of Environmental Protection into the Save Our  
2704 Everglades Trust Fund and shall be used exclusively to implement  
2705 the comprehensive plan under s. 373.470.

2706 (b) Twenty-five percent to the Southwest Florida Water  
2707 Management District.



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2708 (c) Twenty-five percent to the St. Johns River Water  
2709 Management District.

2710 (d) Seven and one-half percent to the Suwannee River Water  
2711 Management District.

2712 (e) Seven and one-half percent to the Northwest Florida  
2713 Water Management District.

2714 (12)~~(13)~~ It is the intent of the Legislature that in  
2715 developing the list of projects for funding pursuant to  
2716 paragraph (3) (a), that these funds not be used to abrogate the  
2717 financial responsibility of those point and nonpoint sources  
2718 that have contributed to the degradation of water or land areas.  
2719 Therefore, an increased priority shall be given by the water  
2720 management district governing boards to those projects that have  
2721 secured a cost-sharing agreement allocating responsibility for  
2722 the cleanup of point and nonpoint sources.

2723 (13)~~(14)~~ An affirmative vote of five members of the  
2724 Acquisition and Restoration Council shall be required in order  
2725 to place a proposed project on the list developed pursuant to  
2726 subsection (7) ~~(8)~~. Any member of the council who by family or a  
2727 business relationship has a connection with any project proposed  
2728 to be ranked shall declare such interest prior to voting for a  
2729 project's inclusion on the list.

2730 (14)~~(15)~~ Each year that cash disbursements or bonds are to  
2731 be issued pursuant to this section, the Acquisition and  
2732 Restoration Council shall review the most current approved  
2733 project list and shall, by the first board meeting in May,  
2734 present to the Board of Trustees of the Internal Improvement  
2735 Trust Fund for approval a listing of projects developed pursuant  
2736 to subsection (7) ~~(8)~~. The board of trustees may remove projects



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2737 from the list developed pursuant to this subsection, but may not  
2738 add projects or rearrange project rankings.

2739 ~~(15)~~(16) The Acquisition and Restoration Council shall  
2740 submit to the board of trustees, with its list of projects, a  
2741 report that includes, but shall not be limited to, the following  
2742 information for each project listed:

2743 (a) The stated purpose for inclusion.

2744 (b) Projected costs to achieve the project goals.

2745 (c) An interim management budget that includes all costs  
2746 associated with immediate public access.

2747 (d) Specific performance measures.

2748 (e) Plans for public access.

2749 (f) An identification of the essential parcel or parcels  
2750 within the project without which the project cannot be properly  
2751 managed.

2752 (g) Where applicable, an identification of those projects  
2753 or parcels within projects which should be acquired in fee  
2754 simple or in less than fee simple.

2755 (h) An identification of those lands being purchased for  
2756 conservation purposes.

2757 (i) A management policy statement for the project and a  
2758 management prospectus pursuant to s. 259.032(7)(d) ~~or~~  
2759 ~~259.032(9)(d)~~.

2760 (j) An estimate of land value based on county tax assessed  
2761 values.

2762 (k) A map delineating project boundaries.

2763 (l) An assessment of the project's ecological value,  
2764 outdoor recreational value, forest resources, wildlife  
2765 resources, ownership pattern, utilization, and location.





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2766 (m) A discussion of whether alternative uses are proposed  
2767 for the property and what those uses are.

2768 (n) A designation of the management agency or agencies.

2769 ~~(16)-(17)~~ All proposals for projects pursuant to paragraph  
2770 (3) (b) shall be implemented only if adopted by the Acquisition  
2771 and Restoration Council and approved by the board of trustees.  
2772 The council shall consider and evaluate in writing the merits  
2773 and demerits of each project that is proposed for Florida  
2774 Forever funding ~~and each proposed addition to the Conservation  
2775 and Recreation Lands list program.~~ The council shall ensure that  
2776 each proposed project will meet a stated public purpose for the  
2777 restoration, conservation, or preservation of environmentally  
2778 sensitive lands and water areas or for providing outdoor  
2779 recreational opportunities ~~and that each proposed addition to  
2780 the Conservation and Recreation Lands list will meet the public  
2781 purposes under s. 259.032(3) and, when applicable, s.  
2782 259.101(4).~~ The council also shall determine whether the project  
2783 or addition conforms, where applicable, with the comprehensive  
2784 plan developed pursuant to s. 259.04(1)(a), the comprehensive  
2785 multipurpose outdoor recreation plan developed pursuant to s.  
2786 375.021, the state lands management plan adopted pursuant to s.  
2787 253.03(7), the water resources work plans developed pursuant to  
2788 s. 373.199, and the provisions of this section.

2789 ~~(17)-(18)~~ On an annual basis, the Division of State Lands  
2790 shall prepare an annual work plan that prioritizes projects on  
2791 the Florida Forever list and sets forth the funding available in  
2792 the fiscal year for land acquisition. The work plan shall  
2793 consider the following categories of expenditure for land  
2794 conservation projects already selected for the Florida Forever



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2795 list pursuant to subsection (7) ~~(8)~~:

2796 (a) A critical natural lands category, including functional  
2797 landscape-scale natural systems, intact large hydrological  
2798 systems, lands that have significant imperiled natural  
2799 communities, and corridors linking large landscapes, as  
2800 identified and developed by the best available scientific  
2801 analysis.

2802 (b) A partnerships or regional incentive category,  
2803 including:

2804 1. Projects where local and regional cost-share agreements  
2805 provide a lower cost and greater conservation benefit to the  
2806 people of the state. Additional consideration shall be provided  
2807 under this category where parcels are identified as part of a  
2808 local or regional visioning process and are supported by  
2809 scientific analysis; and

2810 2. Bargain and shared projects where the state will receive  
2811 a significant reduction in price for public ownership of land as  
2812 a result of the removal of development rights or other interests  
2813 in lands or receives alternative or matching funds.

2814 (c) A substantially complete category of projects where  
2815 mainly inholdings, additions, and linkages between preserved  
2816 areas will be acquired and where 85 percent of the project is  
2817 complete.

2818 (d) A climate-change category list of lands where  
2819 acquisition or other conservation measures will address the  
2820 challenges of global climate change, such as through protection,  
2821 restoration, mitigation, and strengthening of Florida's land,  
2822 water, and coastal resources. This category includes lands that  
2823 provide opportunities to sequester carbon, provide habitat,



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2824 protect coastal lands or barrier islands, and otherwise mitigate  
2825 and help adapt to the effects of sea-level rise and meet other  
2826 objectives of the program.

2827 (e) A less-than-fee category for working agricultural lands  
2828 that significantly contribute to resource protection through  
2829 conservation easements and other less-than-fee techniques, tax  
2830 incentives, life estates, landowner agreements, and other  
2831 partnerships, including conservation easements acquired in  
2832 partnership with federal conservation programs, which will  
2833 achieve the objectives of Florida Forever while allowing the  
2834 continuation of compatible agricultural uses on the land. Terms  
2835 of easements proposed for acquisition under this category shall  
2836 be developed by the Division of State Lands in coordination with  
2837 the Department of Agriculture and Consumer Services.

2838  
2839 Projects within each category shall be ranked by order of  
2840 priority. The work plan shall be adopted by the Acquisition and  
2841 Restoration Council after at least one public hearing. A copy of  
2842 the work plan shall be provided to the board of trustees of the  
2843 Internal Improvement Trust Fund no later than October 1 of each  
2844 year.

2845 (18)~~(19)~~(a) The Board of Trustees of the Internal  
2846 Improvement Trust Fund, or, in the case of water management  
2847 district lands, the owning water management district, may  
2848 authorize the granting of a lease, easement, or license for the  
2849 use of certain lands acquired pursuant to this section, for  
2850 certain uses that are determined by the appropriate board to be  
2851 compatible with the resource values of and management objectives  
2852 for such lands.



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2853 (b) Any existing lease, easement, or license acquired for  
2854 incidental public or private use on, under, or across any lands  
2855 acquired pursuant to this section shall be presumed to be  
2856 compatible with the purposes for which such lands were acquired.

2857 (c) Notwithstanding the provisions of paragraph (a), no  
2858 such lease, easement, or license shall be entered into by the  
2859 Department of Environmental Protection or other appropriate  
2860 state agency if the granting of such lease, easement, or license  
2861 would adversely affect the exclusion of the interest on any  
2862 revenue bonds issued to fund the acquisition of the affected  
2863 lands from gross income for federal income tax purposes,  
2864 pursuant to Internal Revenue Service regulations.

2865 ~~(19)-(20)~~ The Acquisition and Restoration Council shall  
2866 recommend adoption of rules by the board of trustees necessary  
2867 to implement the provisions of this section relating to:  
2868 solicitation, scoring, selecting, and ranking of Florida Forever  
2869 project proposals; disposing of or leasing lands or water areas  
2870 selected for funding through the Florida Forever program; and  
2871 the process of reviewing and recommending for approval or  
2872 rejection the land management plans associated with publicly  
2873 owned properties. Rules promulgated pursuant to this subsection  
2874 shall be submitted to the President of the Senate and the  
2875 Speaker of the House of Representatives, for review by the  
2876 Legislature, no later than 30 days prior to the 2010 Regular  
2877 Session and shall become effective only after legislative  
2878 review. In its review, the Legislature may reject, modify, or  
2879 take no action relative to such rules. The board of trustees  
2880 shall conform such rules to changes made by the Legislature, or,  
2881 if no action was taken by the Legislature, such rules shall



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2882 become effective.

2883       ~~(20)(21)~~ Lands listed as projects for acquisition under the  
2884 Florida Forever program may be managed for conservation pursuant  
2885 to s. 259.032, on an interim basis by a private party in  
2886 anticipation of a state purchase in accordance with a  
2887 contractual arrangement between the acquiring agency and the  
2888 private party that may include management service contracts,  
2889 leases, cost-share arrangements, or resource conservation  
2890 agreements. Lands designated as eligible under this subsection  
2891 shall be managed to maintain or enhance the resources the state  
2892 is seeking to protect by acquiring the land and to accelerate  
2893 public access to the lands as soon as practicable. Funding for  
2894 these contractual arrangements may originate from the  
2895 documentary stamp tax revenue deposited into the Land  
2896 Acquisition Conservation and Recreation Lands Trust Fund and  
2897 Water Management Lands Trust Fund. No more than \$6.2 million may  
2898 be expended from the Land Acquisition Trust Fund 5 percent of  
2899 funds allocated under the trust funds shall be expended for this  
2900 purpose.

2901       Section 27. Subsections (1) and (3) of section 259.1051,  
2902 Florida Statutes, are amended to read:

2903       259.1051 Florida Forever Trust Fund.—

2904       (1) There is created the Florida Forever Trust Fund to  
2905 carry out the purposes of ss. 259.032, 259.105, 259.1052, and  
2906 375.031. The Florida Forever Trust Fund shall be held and  
2907 administered by the Department of Environmental Protection.  
2908 Proceeds from the sale of bonds, except proceeds of refunding  
2909 bonds, issued under s. 215.618 and payable from moneys  
2910 transferred to the Land Acquisition Trust Fund under s.



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2911 201.15(1) ~~s. 201.15(1)(a)~~, not to exceed \$5.3 billion, must be  
2912 deposited into this trust fund to be distributed and used as  
2913 provided in s. 259.105(3). The bond resolution adopted by the  
2914 governing board of the Division of Bond Finance of the State  
2915 Board of Administration may provide for additional provisions  
2916 that govern the disbursement of the bond proceeds.

2917 (3) The Department of Environmental Protection shall ensure  
2918 that the proceeds from the sale of bonds issued under s. 215.618  
2919 and payable from moneys transferred to the Land Acquisition  
2920 Trust Fund under s. 201.15(1) ~~s. 201.15(1)(a)~~ shall be  
2921 administered and expended in a manner that ensures compliance of  
2922 each issue of bonds that are issued on the basis that interest  
2923 thereon will be excluded from gross income for federal income  
2924 tax purposes, with the applicable provisions of the United  
2925 States Internal Revenue Code and the regulations promulgated  
2926 thereunder, to the extent necessary to preserve the exclusion of  
2927 interest on the bonds from gross income for federal income tax  
2928 purposes. The Department of Environmental Protection shall  
2929 administer the use and disbursement of the proceeds of such  
2930 bonds or require that the use and disbursement thereof be  
2931 administered in a manner to implement strategies to maximize any  
2932 available benefits under the applicable provisions of the United  
2933 States Internal Revenue Code or regulations promulgated  
2934 thereunder, to the extent not inconsistent with the purposes  
2935 identified in s. 259.105(3).

2936 Section 28. Paragraph (a) of subsection (2) of section  
2937 338.250, Florida Statutes, is amended to read:

2938 338.250 Central Florida Beltway Mitigation.—

2939 (2) Environmental mitigation required as a result of



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2940 construction of the beltway, or portions thereof, shall be  
2941 satisfied in the following manner:

2942 (a) For those projects which the Department of  
2943 Transportation is authorized to construct, funds for  
2944 environmental mitigation shall be deposited in the Central  
2945 Florida Beltway Trust Fund created within the department at the  
2946 time bonds for the specific project are sold. If a road building  
2947 authority other than the department is authorized to construct  
2948 the project, funds for environmental mitigation shall be  
2949 deposited in a mitigation fund account established in the  
2950 construction fund for the bond issues. Said account shall be  
2951 established at the time bond proceeds are deposited into the  
2952 construction fund for the specific project. These funds shall be  
2953 provided from bond proceeds, and the use of such funds from bond  
2954 proceeds for mitigation shall be deemed a public purpose. The  
2955 amount to be provided for mitigation for the Eastern Beltway in  
2956 Seminole County shall be up to \$4 million, the amount to be  
2957 provided for mitigation for the Western Beltway shall be up to  
2958 \$30.5 million, the amount to be provided for mitigation for the  
2959 Southern Connector shall be up to \$14.28 million, the amount to  
2960 be provided for mitigation for the Turnpike/Southern Connector  
2961 Interchange shall be up to \$1.46 million, and the amount to be  
2962 provided for mitigation for the Southern Connector Extension  
2963 shall be in proportion to the amount provided for the Southern  
2964 Connector based upon the amount of wetlands displaced. To the  
2965 extent allowed by law, the interest on said funds as earned,  
2966 after deposit into the Central Florida Beltway Trust Fund, or in  
2967 a mitigation fund account shall accrue and be paid to the agency  
2968 responsible for the construction of the appropriate project.



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2969 Where feasible, mitigation funds shall be used in coordination  
2970 with funds from ~~the Conservation and Recreation Lands Trust~~  
2971 ~~Fund, Save Our Rivers Land Acquisition Program, or from other~~  
2972 appropriate sources.

2973 Section 29. Subsection (4) of section 339.0801, Florida  
2974 Statutes, is amended to read:

2975 339.0801 Allocation of increased revenues derived from  
2976 amendments to s. 319.32(5)(a) by ch. 2012-128.—Funds that result  
2977 from increased revenues to the State Transportation Trust Fund  
2978 derived from the amendments to s. 319.32(5)(a) made by this act  
2979 must be used annually, first as set forth in subsection (1) and  
2980 then as set forth in subsections (2)-(5), notwithstanding any  
2981 other provision of law:

2982 (4) Beginning in the 2013-2014 fiscal year and annually  
2983 thereafter, \$10 million shall be allocated to the Small County  
2984 Outreach Program, to be used as specified in s. 339.2818. These  
2985 funds are in addition to the funds provided for the program  
2986 pursuant to s. 201.15 ~~in s. 201.15(1)(c)1.b.~~

2987 Section 30. Subsection (9) of section 339.55, Florida  
2988 Statutes, is amended to read:

2989 339.55 State-funded infrastructure bank.—

2990 (9) Funds paid into the State Transportation Trust Fund  
2991 pursuant to s. 201.15 ~~s. 201.15(1)(c)~~ for the purposes of the  
2992 State Infrastructure Bank are hereby annually appropriated for  
2993 expenditure to support that program.

2994 Section 31. Subsection (5) of section 341.303, Florida  
2995 Statutes, is amended to read:

2996 341.303 Funding authorization and appropriations;  
2997 eligibility and participation.—





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2998 (5) FUND PARTICIPATION; FLORIDA RAIL ENTERPRISE.—  
2999 ~~(a)~~ The department, through the Florida Rail Enterprise, is  
3000 authorized to use funds provided pursuant to s. 201.15(4)(a)4.  
3001 ~~under s. 201.15(1)(c)1.d. to fund:~~  
3002 (a) Up to 50 percent of the nonfederal share of the costs  
3003 of any eligible passenger rail capital improvement project.  
3004 ~~(b) The department, through the Florida Rail Enterprise, is~~  
3005 ~~authorized to use funds provided under s. 201.15(1)(c)1.d. to~~  
3006 ~~fund~~ Up to 100 percent of planning and development costs related  
3007 to the provision of a passenger rail system, including, but not  
3008 limited to, preliminary engineering, revenue studies,  
3009 environmental impact studies, financial advisory services,  
3010 engineering design, and other appropriate professional services.  
3011 ~~(c) The department, through the Florida Rail Enterprise, is~~  
3012 ~~authorized to use funds provided under s. 201.15(1)(c)1.d. to~~  
3013 ~~fund~~ The high-speed rail system.  
3014 ~~(d) The department, through the Florida Rail Enterprise, is~~  
3015 ~~authorized to use funds provided under s. 201.15(1)(c)1.d. to~~  
3016 ~~fund~~ Projects necessary to identify or address anticipated  
3017 impacts of increased freight rail traffic resulting from the  
3018 implementation of passenger rail systems as provided in s.  
3019 341.302(3)(b).  
3020 Section 32. Paragraph (b) of subsection (4) of section  
3021 343.58, Florida Statutes, is amended to read:  
3022 343.58 County funding for the South Florida Regional  
3023 Transportation Authority.—  
3024 (4) Notwithstanding any other provision of law to the  
3025 contrary and effective July 1, 2010, until as provided in  
3026 paragraph (d), the department shall transfer annually from the



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3027 State Transportation Trust Fund to the South Florida Regional  
3028 Transportation Authority the amounts specified in subparagraph  
3029 (a)1. or subparagraph (a)2.

3030 (b) Funding required by this subsection may not be provided  
3031 from the funds dedicated to the Florida Rail Enterprise pursuant  
3032 to s. 201.15(4)(a)4 ~~under s. 201.15(1)(c)1.d.~~

3033 Section 33. Section 369.252, Florida Statutes, is amended  
3034 to read:

3035 369.252 Invasive plant control on public lands.—The Fish  
3036 and Wildlife Conservation Commission shall establish a program  
3037 that will accomplish all of the following ~~to~~:

3038 (1) Achieve eradication or maintenance control of invasive  
3039 exotic plants on public lands when the scientific data indicate  
3040 that they are detrimental to the state's natural environment or  
3041 when the Commissioner of Agriculture finds that such plants or  
3042 specific populations thereof are a threat to the agricultural  
3043 productivity of the state. ~~†~~

3044 (2) Assist state and local government agencies in the  
3045 development and implementation of coordinated management plans  
3046 for the eradication or maintenance control of invasive exotic  
3047 plant species on public lands. ~~†~~

3048 (3) Contract, or enter into agreements, with entities in  
3049 the State University System or other governmental or private  
3050 sector entities for research concerning control agents;  
3051 production and growth of biological control agents; and  
3052 development of workable methods for the eradication or  
3053 maintenance control of invasive exotic plants on public lands. ~~†~~  
3054 ~~and~~

3055 (4) Use funds in the Invasive Plant Control Trust Fund as



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3056 authorized by the Legislature for carrying out activities under  
3057 this section on public lands. ~~A minimum of 20 percent of the~~  
3058 ~~amount credited to the Invasive Plant Control Trust Fund~~  
3059 ~~pursuant to s. 201.15(6) shall be used for the purpose of~~  
3060 ~~controlling nonnative, upland, invasive plant species on public~~  
3061 ~~lands.~~

3062 Section 34. Paragraph (c) of subsection (8) of section  
3063 373.026, Florida Statutes, is amended to read:

3064 373.026 General powers and duties of the department.—The  
3065 department, or its successor agency, shall be responsible for  
3066 the administration of this chapter at the state level. However,  
3067 it is the policy of the state that, to the greatest extent  
3068 possible, the department may enter into interagency or  
3069 interlocal agreements with any other state agency, any water  
3070 management district, or any local government conducting programs  
3071 related to or materially affecting the water resources of the  
3072 state. All such agreements shall be subject to the provisions of  
3073 s. 373.046. In addition to its other powers and duties, the  
3074 department shall, to the greatest extent possible:

3075 (8)

3076 (c) Notwithstanding paragraph (b), the use of state funds  
3077 for land purchases from willing sellers is authorized for  
3078 projects ~~within the South Florida Water Management District's~~  
3079 ~~approved 5-year plan of acquisition pursuant to s. 373.59 or~~  
3080 within the South Florida Water Management District's approved  
3081 Florida Forever water management district work plan pursuant to  
3082 s. 373.199.

3083 Section 35. Subsection (4) of section 373.089, Florida  
3084 Statutes, is amended to read:



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3085           373.089 Sale or exchange of lands, or interests or rights  
3086 in lands.—The governing board of the district may sell lands, or  
3087 interests or rights in lands, to which the district has acquired  
3088 title or to which it may hereafter acquire title in the  
3089 following manner:

3090           (4) The governing board of a district may exchange lands,  
3091 or interests or rights in lands, owned by, or lands, or  
3092 interests or rights in lands, for which title is otherwise  
3093 vested in, the district for other lands, or interests or rights  
3094 in lands, within the state owned by any person. The governing  
3095 board shall fix the terms and conditions of any such exchange  
3096 and may pay or receive any sum of money that the board considers  
3097 necessary to equalize the values of exchanged properties. Land,  
3098 or interests or rights in land, acquired under former s. 373.59,  
3099 Florida Statutes 2014, may be exchanged only for lands, or  
3100 interests or rights in lands, that otherwise meet the  
3101 requirements of that section for acquisition.

3102           Section 36. Paragraph (a) of subsection (5) of section  
3103 373.129, Florida Statutes, is amended to read:

3104           373.129 Maintenance of actions.—The department, the  
3105 governing board of any water management district, any local  
3106 board, or a local government to which authority has been  
3107 delegated pursuant to s. 373.103(8), is authorized to commence  
3108 and maintain proper and necessary actions and proceedings in any  
3109 court of competent jurisdiction for any of the following  
3110 purposes:

3111           (5) To recover a civil penalty for each offense in an  
3112 amount not to exceed \$10,000 per offense. Each date during which  
3113 such violation occurs constitutes a separate offense.



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3114 (a) A civil penalty recovered by a water management  
3115 district pursuant to this subsection shall be retained ~~deposited~~  
3116 ~~in the Water Management Lands Trust Fund established under s.~~  
3117 ~~373.59~~ and used exclusively by the water management district  
3118 that collected ~~deposits~~ the money ~~into the fund~~. A civil penalty  
3119 recovered by the department pursuant to this subsection shall be  
3120 deposited into the Water Quality Assurance Trust Fund  
3121 established under s. 376.307 ~~Any such civil penalty recovered~~  
3122 ~~after the expiration of such fund shall be deposited in the~~  
3123 ~~Ecosystem Management and Restoration Trust Fund and used~~  
3124 ~~exclusively within the water management district that deposits~~  
3125 ~~the money into the fund.~~

3126 Section 37. Subsection (5) of section 373.1391, Florida  
3127 Statutes, is amended to read:

3128 373.1391 Management of real property.—

3129 (5) The following additional uses of lands acquired  
3130 pursuant to the Florida Forever program and other state-funded  
3131 land purchase programs shall be authorized, upon a finding by  
3132 the governing board, if they meet the criteria specified in  
3133 paragraphs (a)-(e): water resource development projects, water  
3134 supply development projects, stormwater management projects,  
3135 linear facilities, and sustainable agriculture and forestry.  
3136 Such additional uses are authorized where:

3137 (a) Not inconsistent with the management plan for such  
3138 lands;

3139 (b) Compatible with the natural ecosystem and resource  
3140 values of such lands;

3141 (c) The proposed use is appropriately located on such lands  
3142 and where due consideration is given to the use of other



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3143 available lands;

3144 (d) The using entity reasonably compensates the titleholder  
3145 for such use based upon an appropriate measure of value; and

3146 (e) The use is consistent with the public interest.

3147

3148 A decision by the governing board pursuant to this subsection  
3149 shall be given a presumption of correctness. Moneys received  
3150 from the use of state lands pursuant to this subsection shall be  
3151 returned to the lead managing agency ~~in accordance with the~~  
3152 ~~provisions of s. 373.59.~~

3153 Section 38. Subsection (7) of section 373.199, Florida  
3154 Statutes, is amended to read:

3155 373.199 Florida Forever Water Management District Work  
3156 Plan.—

3157 (7) By June 1, 2001, each district shall file with the  
3158 President of the Senate, the Speaker of the House of  
3159 Representatives, and the Secretary of Environmental Protection  
3160 the initial 5-year work plan as required under subsection (2).  
3161 By March 1 of each year thereafter, as part of the consolidated  
3162 annual report required by s. 373.036(7), each district shall  
3163 report on acquisitions completed during the year together with  
3164 modifications or additions to its 5-year work plan. Included in  
3165 the report shall be:

3166 (a) A description of land management activity for each  
3167 property or project area owned by the water management district.

3168 (b) A list of any lands surplused and the amount of  
3169 compensation received.

3170 (c) The progress of funding, staffing, and resource  
3171 management of every project funded pursuant to former s.



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3172 259.101(3), Florida Statutes 2014 ~~s. 259.101~~, s. 259.105, or  
3173 former s. 373.59(2), Florida Statutes 2014, ~~s. 373.59~~ for which  
3174 the district is responsible.

3175  
3176 The secretary shall submit the report referenced in this  
3177 subsection to the Board of Trustees of the Internal Improvement  
3178 Trust Fund together with the Acquisition and Restoration  
3179 Council's project list as required under s. 259.105.

3180 Section 39. Subsection (7) of section 373.430, Florida  
3181 Statutes, is amended to read:

3182 373.430 Prohibitions, violation, penalty, intent.—

3183 (7) All moneys recovered under the provisions of this  
3184 section shall be allocated to the use of the water management  
3185 district, the department, or the local government, whichever  
3186 undertook and maintained the enforcement action. All monetary  
3187 penalties and damages recovered by the department or the state  
3188 under the provisions of this section shall be deposited into ~~in~~  
3189 the Florida Permit Fee Ecosystem Management and Restoration  
3190 Trust Fund. All monetary penalties and damages recovered  
3191 pursuant to this section by a water management district shall be  
3192 retained ~~deposited in the Water Management Lands Trust Fund~~  
3193 ~~established under s. 373.59~~ and used exclusively within the  
3194 territory of the water management district which collected  
3195 ~~deposits~~ the money ~~into the fund~~. ~~Any such monetary penalties~~  
3196 ~~and damages recovered after the expiration of such fund shall be~~  
3197 ~~deposited in the Ecosystem Management and Restoration Trust Fund~~  
3198 ~~and used exclusively within the territory of the water~~  
3199 ~~management district which deposits the money into the fund~~. All  
3200 monetary penalties and damages recovered pursuant to this



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3201 subsection by a local government to which authority has been  
3202 delegated pursuant to s. 373.103(8) shall be used to enhance  
3203 surface water improvement or pollution control activities.

3204 Section 40. Subsections (3) through (6) of section 373.459,  
3205 Florida Statutes, are amended to read:

3206 373.459 Funds for surface water improvement and  
3207 management.-

3208 (3) ~~The Ecosystem Management and Restoration Trust Fund~~  
3209 ~~shall be used for the deposit of funds appropriated by the~~  
3210 ~~Legislature for the purposes of ss. 373.451-373.4595.~~ The  
3211 department shall administer all funds appropriated to or  
3212 received for surface water improvement and management  
3213 activities. Expenditure of the moneys shall be limited to the  
3214 costs of detailed planning and plan and program implementation  
3215 for priority surface water bodies. Moneys may ~~from the fund~~  
3216 ~~shall~~ not be expended for planning for, or construction or  
3217 expansion of, treatment facilities for domestic or industrial  
3218 waste disposal.

3219 (4) The department shall authorize the release of money  
3220 ~~from the fund~~ in accordance with ~~the provisions of~~ s. 373.501(2)  
3221 ~~and procedures in s. 373.59(4) and (5).~~

3222 (5) ~~Moneys in the fund which are not needed to meet current~~  
3223 ~~obligations incurred under this section shall be transferred to~~  
3224 ~~the State Board of Administration, to the credit of the trust~~  
3225 ~~fund, to be invested in the manner provided by law. Interest~~  
3226 ~~received on such investments shall be credited to the trust~~  
3227 ~~fund.~~

3228 (5)~~(6)~~ The match requirement of subsection (2) does ~~shall~~  
3229 not apply to the Suwannee River Water Management District, the





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3230 Northwest Florida Water Management District, or a financially  
3231 disadvantaged small local government as defined in former s.  
3232 403.885(3).

3233 Section 41. Paragraph (a) of subsection (3) of section  
3234 373.4592, Florida Statutes, is amended to read:

3235 373.4592 Everglades improvement and management.—

3236 (3) EVERGLADES LONG-TERM PLAN.—

3237 (a) The Legislature finds that the Everglades Program  
3238 required by this section establishes more extensive and  
3239 comprehensive requirements for surface water improvement and  
3240 management within the Everglades than the SWIM plan requirements  
3241 provided in ss. 373.451 and 373.453. In order to avoid  
3242 duplicative requirements, and in order to conserve the resources  
3243 available to the district, the SWIM plan requirements of those  
3244 sections shall not apply to the Everglades Protection Area and  
3245 the EAA during the term of the Everglades Program, and the  
3246 district will neither propose, nor take final agency action on,  
3247 any Everglades SWIM plan for those areas until the Everglades  
3248 Program is fully implemented. Funds identified under former s.  
3249 259.101(3)(b), Florida Statutes 2014, may be used for  
3250 acquisition of lands necessary to implement the Everglades  
3251 Construction Project, to the extent these funds are identified  
3252 in the Statement of Principles of July 1993. The district's  
3253 actions in implementing the Everglades Construction Project  
3254 relating to the responsibilities of the EAA and C-139 Basin for  
3255 funding and water quality compliance in the EAA and the  
3256 Everglades Protection Area shall be governed by this section.  
3257 Other strategies or activities in the March 1992 Everglades SWIM  
3258 plan may be implemented if otherwise authorized by law.



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3259           Section 42. Subsection (4) of section 373.45926, Florida  
3260 Statutes, is amended to read:

3261           373.45926 Everglades Trust Fund; allocation of revenues and  
3262 expenditure of funds for conservation and protection of natural  
3263 resources and abatement of water pollution.—

3264           (4) The following funds shall be deposited into the  
3265 Everglades Trust Fund specifically for the implementation of the  
3266 Everglades Forever Act.

3267           (a) Alligator Alley toll revenues pursuant to s. 338.26(3).

3268           (b) Everglades agricultural privilege tax revenues pursuant  
3269 to s. 373.4592(6).

3270           (c) C-139 agricultural privilege tax revenues pursuant to  
3271 s. 373.4592(7).

3272           (d) Special assessment revenues pursuant to s. 373.4592(8).

3273           (e) Ad valorem revenues pursuant to s. 373.4592(4)(a).

3274           (f) Federal funds appropriated by the United States  
3275 Congress for any component of the Everglades Construction  
3276 Project.

3277           ~~(g) Preservation 2000 funds for acquisition of lands~~  
3278 ~~necessary for implementation of the Everglades Forever Act as~~  
3279 ~~prescribed in an annual appropriation.~~

3280           (g)~~(h)~~ Any additional funds specifically appropriated by  
3281 the Legislature for this purpose.

3282           (h)~~(i)~~ Gifts designated for implementation of the  
3283 Everglades Forever Act from individuals, corporations, and other  
3284 entities.

3285           (i)~~(j)~~ Any additional funds that become available for this  
3286 purpose from any other source.

3287           Section 43. Paragraph (a) of subsection (6) and paragraph



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3288 (b) of subsection (7) of section 373.470, Florida Statutes, are  
3289 amended to read:

3290 373.470 Everglades restoration.—

3291 (6) DISTRIBUTIONS FROM SAVE OUR EVERGLADES TRUST FUND.—

3292 (a) Except as provided in paragraphs (d) and (e) and for  
3293 funds appropriated for debt service, the department shall  
3294 distribute funds in the Save Our Everglades Trust Fund to the  
3295 district in accordance with a legislative appropriation and s.  
3296 373.026(8) (b) ~~and (c)~~. Distribution of funds to the district  
3297 from the Save Our Everglades Trust Fund shall be equally matched  
3298 by the cumulative contributions from the district by fiscal year  
3299 2019-2020 by providing funding or credits toward project  
3300 components. The dollar value of in-kind project design and  
3301 construction work by the district in furtherance of the  
3302 comprehensive plan and existing interest in public lands needed  
3303 for a project component are credits towards the district's  
3304 contributions.

3305 (7) ANNUAL REPORT.—To provide enhanced oversight of and  
3306 accountability for the financial commitments established under  
3307 this section and the progress made in the implementation of the  
3308 comprehensive plan, the following information must be prepared  
3309 annually as part of the consolidated annual report required by  
3310 s. 373.036(7):

3311 (b) The department shall prepare a detailed report on all  
3312 funds expended by the state and credited toward the state's  
3313 share of funding for implementation of the comprehensive plan.  
3314 The report shall include:

3315 1. A description of all expenditures, by source and amount,  
3316 from ~~the Conservation and Recreation Lands Trust Fund,~~ the Land



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3317 Acquisition Trust Fund, ~~the Preservation 2000 Trust Fund,~~ the  
3318 Florida Forever Trust Fund, the Save Our Everglades Trust Fund,  
3319 and other named funds or accounts for the acquisition or  
3320 construction of project components or other features or  
3321 facilities that benefit the comprehensive plan.

3322 2. A description of the purposes for which the funds were  
3323 expended.

3324 3. The unencumbered fiscal-year-end balance that remains in  
3325 each trust fund or account identified in subparagraph 1.

3326

3327 The information required in paragraphs (a), (b), and (c) shall  
3328 be provided as part of the consolidated annual report required  
3329 by s. 373.036(7). The initial report is due by November 30,  
3330 2000, and each annual report thereafter is due by March 1.

3331 Section 44. Subsection (2) of section 373.584, Florida  
3332 Statutes, is amended to read:

3333 373.584 Revenue bonds.—

3334 (2) Revenues derived by the district ~~from the Water~~  
3335 ~~Management Lands Trust Fund as provided in s. 373.59 or any~~  
3336 ~~other revenues of the district~~ may be pledged to the payment of  
3337 ~~such~~ revenue bonds; however, the ad valorem taxing powers of the  
3338 district may not be pledged to the payment of such revenue bonds  
3339 without prior compliance with the requirements of the State  
3340 Constitution as to the affirmative vote of the electors of the  
3341 district and with the requirements of s. 373.563, ~~and bonds~~  
3342 ~~payable from the Water Management Lands Trust Fund shall be~~  
3343 ~~issued solely for the purposes set forth in s. 373.59.~~ Revenue  
3344 bonds and notes shall be, and shall be deemed to be, for all  
3345 purposes, negotiable instruments, subject only to the provisions



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3346 of the revenue bonds and notes for registration. The powers and  
3347 authority of districts to issue revenue bonds, including, but  
3348 not limited to, bonds to finance a stormwater management system  
3349 as defined by s. 373.403, and to enter into contracts incidental  
3350 thereto, and to do all things necessary and desirable in  
3351 connection with the issuance of revenue bonds, shall be  
3352 coextensive with the powers and authority of municipalities to  
3353 issue bonds under state law. The provisions of this section  
3354 constitute full and complete authority for the issuance of  
3355 revenue bonds and shall be liberally construed to effectuate its  
3356 purpose.

3357 Section 45. Section 373.59, Florida Statutes, is amended to  
3358 read:

3359 373.59 Payment in lieu of taxes for lands acquired for  
3360 water management district purposes ~~Water Management Lands Trust~~  
3361 ~~Fund.~~—

3362 (1) ~~There is established within the Department of~~  
3363 ~~Environmental Protection the Water Management Lands Trust Fund~~  
3364 ~~to be used as a nonlapsing fund for the purposes of this~~  
3365 ~~section. The moneys in this fund are hereby continually~~  
3366 ~~appropriated for the purposes of land acquisition, management,~~  
3367 ~~maintenance, capital improvements of land titled to the~~  
3368 ~~districts, payments in lieu of taxes, debt service on bonds~~  
3369 ~~issued prior to July 1, 1999, debt service on bonds issued on or~~  
3370 ~~after July 1, 1999, which are issued to refund bonds issued~~  
3371 ~~before July 1, 1999, preacquisition costs associated with land~~  
3372 ~~purchases, and the department's costs of administration of the~~  
3373 ~~fund. No refunding bonds may be issued which mature after the~~  
3374 ~~final maturity date of the bonds being refunded or which provide~~



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3375 ~~for higher debt service in any year than is payable on such~~  
3376 ~~bonds as of February 1, 2009. The department's costs of~~  
3377 ~~administration shall be charged proportionally against each~~  
3378 ~~district's allocation using the formula provided in subsection~~  
3379 ~~(8). Capital improvements shall include, but need not be limited~~  
3380 ~~to, perimeter fencing, signs, firelanes, control of invasive~~  
3381 ~~exotic species, controlled burning, habitat inventory and~~  
3382 ~~restoration, law enforcement, access roads and trails, and~~  
3383 ~~minimal public accommodations, such as primitive campsites,~~  
3384 ~~garbage receptacles, and toilets. The moneys in the fund may~~  
3385 ~~also be appropriated to supplement operational expenditures at~~  
3386 ~~the Northwest Florida Water Management District and the Suwannee~~  
3387 ~~River Water Management District, with such appropriations~~  
3388 ~~allocated prior to the allocations set out in subsection (8) to~~  
3389 ~~the five water management districts.~~

3390 ~~(2) Until the Preservation 2000 Program is concluded, each~~  
3391 ~~district shall file with the Legislature and the Secretary of~~  
3392 ~~Environmental Protection a report of acquisition activity, by~~  
3393 ~~January 15 of each year, together with modifications or~~  
3394 ~~additions to its 5-year plan of acquisition. Included in the~~  
3395 ~~report shall be an identification of those lands which require a~~  
3396 ~~full fee simple interest to achieve water management goals and~~  
3397 ~~those lands which can be acquired using alternatives to fee~~  
3398 ~~simple acquisition techniques and still achieve such goals. In~~  
3399 ~~their evaluation of which lands would be appropriate for~~  
3400 ~~acquisition through alternatives to fee simple, district staff~~  
3401 ~~shall consider criteria including, but not limited to,~~  
3402 ~~acquisition costs, the net present value of future land~~  
3403 ~~management costs, the net present value of ad valorem revenue~~



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3404 ~~loss to the local government, and the potential for revenue~~  
3405 ~~generated from activities compatible with acquisition~~  
3406 ~~objectives. The report shall also include a description of land~~  
3407 ~~management activity. However, no acquisition of lands shall~~  
3408 ~~occur without a public hearing similar to those held pursuant to~~  
3409 ~~the provisions set forth in s. 120.54. In the annual update of~~  
3410 ~~its 5-year plan for acquisition, each district shall identify~~  
3411 ~~lands needed to protect or recharge groundwater and shall~~  
3412 ~~establish a plan for their acquisition as necessary to protect~~  
3413 ~~potable water supplies. Lands which serve to protect or recharge~~  
3414 ~~groundwater identified pursuant to this paragraph shall also~~  
3415 ~~serve to protect other valuable natural resources or provide~~  
3416 ~~space for natural resource based recreation. Once all~~  
3417 ~~Preservation 2000 funds allocated to the water management~~  
3418 ~~districts have been expended or committed, this subsection shall~~  
3419 ~~be repealed.~~

3420 ~~(3) Each district shall remove the property of an unwilling~~  
3421 ~~seller from its plan of acquisition at the next scheduled update~~  
3422 ~~of the plan, if in receipt of a request to do so by the property~~  
3423 ~~owner. This subsection shall be repealed at the conclusion of~~  
3424 ~~the Preservation 2000 program.~~

3425 ~~(4) The Secretary of Environmental Protection shall release~~  
3426 ~~moneys from the Water Management Lands Trust Fund to a district~~  
3427 ~~for preacquisition costs within 30 days after receipt of a~~  
3428 ~~resolution adopted by the district's governing board which~~  
3429 ~~identifies and justifies any such preacquisition costs necessary~~  
3430 ~~for the purchase of any lands listed in the district's 5-year~~  
3431 ~~plan. The district shall return to the department any funds not~~  
3432 ~~used for the purposes stated in the resolution, and the~~



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3433 ~~department shall deposit the unused funds into the Water~~  
3434 ~~Management Lands Trust Fund.~~

3435 ~~(5) The Secretary of Environmental Protection shall release~~  
3436 ~~to the districts moneys for management, maintenance, and capital~~  
3437 ~~improvements following receipt of a resolution and request~~  
3438 ~~adopted by the governing board which specifies the designated~~  
3439 ~~managing agency, specific management activities, public use,~~  
3440 ~~estimated annual operating costs, and other acceptable~~  
3441 ~~documentation to justify release of moneys.~~

3442 ~~(6) If a district issues revenue bonds or notes under s.~~  
3443 ~~373.584 prior to July 1, 1999, the district may pledge its share~~  
3444 ~~of the moneys in the Water Management Lands Trust Fund as~~  
3445 ~~security for such bonds or notes. The Department of~~  
3446 ~~Environmental Protection shall pay moneys from the trust fund to~~  
3447 ~~a district or its designee sufficient to pay the debt service,~~  
3448 ~~as it becomes due, on the outstanding bonds and notes of the~~  
3449 ~~district; however, such payments shall not exceed the district's~~  
3450 ~~cumulative portion of the trust fund. However, any moneys~~  
3451 ~~remaining after payment of the amount due on the debt service~~  
3452 ~~shall be released to the district pursuant to subsection (5).~~

3453 ~~(7) Any unused portion of a district's share of the fund~~  
3454 ~~shall accumulate in the trust fund to the credit of that~~  
3455 ~~district. Interest earned on such portion shall also accumulate~~  
3456 ~~to the credit of that district to be used for management,~~  
3457 ~~maintenance, and capital improvements as provided in this~~  
3458 ~~section. The total moneys over the life of the fund available to~~  
3459 ~~any district under this section shall not be reduced except by~~  
3460 ~~resolution of the district governing board stating that the need~~  
3461 ~~for the moneys no longer exists. Any water management district~~





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3462 ~~with fund balances in the Water Management Lands Trust Fund as~~  
3463 ~~of March 1, 1999, may expend those funds for land acquisitions~~  
3464 ~~pursuant to s. 373.139, or for the purpose specified in this~~  
3465 ~~subsection.~~

3466 ~~(8) Moneys from the Water Management Lands Trust Fund shall~~  
3467 ~~be allocated as follows:~~

3468 ~~(a) Beginning with the 2009-2010 fiscal year, thirty~~  
3469 ~~percent shall be used first to pay debt service on bonds issued~~  
3470 ~~before February 1, 2009, by the South Florida Water Management~~  
3471 ~~District which are secured by revenues provided by this section~~  
3472 ~~or to fund debt service reserve funds, rebate obligations, or~~  
3473 ~~other amounts payable with respect to such bonds, then to~~  
3474 ~~transfer \$3,000,000 to the credit of the General Revenue Fund in~~  
3475 ~~each fiscal year, and lastly to distribute the remainder to the~~  
3476 ~~South Florida Water Management District.~~

3477 ~~(b) Beginning with the 2009-2010 fiscal year, twenty-five~~  
3478 ~~percent shall be used first to transfer \$2,500,000 to the credit~~  
3479 ~~of the General Revenue Fund in each fiscal year and then to~~  
3480 ~~distribute the remainder to the Southwest Florida Water~~  
3481 ~~Management District.~~

3482 ~~(c) Beginning with the 2009-2010 fiscal year, twenty-five~~  
3483 ~~percent shall be used first to pay debt service on bonds issued~~  
3484 ~~before February 1, 2009, by the St. Johns River Water Management~~  
3485 ~~District which are secured by revenues provided by this section~~  
3486 ~~or to fund debt service reserve funds, rebate obligations, or~~  
3487 ~~other amounts payable with respect to such bonds, then to~~  
3488 ~~transfer \$2,500,000 to the credit of the General Revenue Fund in~~  
3489 ~~each fiscal year, and to distribute the remainder to the St.~~  
3490 ~~Johns River Water Management District.~~



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3491 ~~(d) Ten percent to the Suwannee River Water Management~~  
3492 ~~District.~~

3493 ~~(e) Ten percent to the Northwest Florida Water Management~~  
3494 ~~District.~~

3495 ~~(9) Moneys in the fund not needed to meet current~~  
3496 ~~obligations incurred under this section shall be transferred to~~  
3497 ~~the State Board of Administration, to the credit of the fund, to~~  
3498 ~~be invested in the manner provided by law. Interest received on~~  
3499 ~~such investments shall be credited to the fund.~~

3500 ~~(10) (a) Beginning July 1, 1999, not more than one fourth of~~  
3501 ~~the Funds provided for in subsections (1) and (8) in any year~~  
3502 ~~shall be reserved annually by a governing board, during the~~  
3503 ~~development of its annual operating budget, for payments in lieu~~  
3504 ~~of taxes for all actual ad valorem tax losses incurred as a~~  
3505 ~~result of all governing board acquisitions for water management~~  
3506 ~~district purposes. Reserved funds not used for payments in lieu~~  
3507 ~~of taxes in any year shall revert to the Water Management Lands~~  
3508 ~~Trust Fund to be used in accordance with the provisions of this~~  
3509 ~~section.~~

3510 ~~(2) (b)~~ Payment in lieu of taxes shall be available:

3511 ~~(a) 1.~~ To all counties that have a population of 150,000 or  
3512 fewer. Population levels shall be determined pursuant to s.  
3513 186.901. The population estimates published April 1 and used in  
3514 the revenue-sharing formula pursuant to s. 186.901 shall be used  
3515 to determine eligibility under this subsection and shall apply  
3516 to payments made for the subsequent fiscal year.

3517 ~~(b) 2.~~ To all local governments located in eligible counties  
3518 and whose lands are bought and taken off the tax rolls.

3519



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3520 For properties acquired after January 1, 2000, in the event that  
3521 such properties otherwise eligible for payment in lieu of taxes  
3522 under this subsection are leased or reserved and remain subject  
3523 to ad valorem taxes, payments in lieu of taxes shall commence or  
3524 recommence upon the expiration or termination of the lease or  
3525 reservation. If the lease is terminated for only a portion of  
3526 the lands at any time, the annual payments shall be made for  
3527 that portion only commencing the year after such termination,  
3528 without limiting the requirement that annual payments shall be  
3529 made on the remaining portion or portions of the land as the  
3530 lease on each expires. For the purposes of this subsection,  
3531 "local government" includes municipalities and the county school  
3532 board.

3533 (3)~~(e)~~ If sufficient funds are unavailable in any year to  
3534 make full payments to all qualifying counties and local  
3535 governments, such counties and local governments shall receive a  
3536 pro rata share of the moneys available.

3537 (4)~~(d)~~ The payment amount shall be based on the average  
3538 amount of actual ad valorem taxes paid on the property for the 3  
3539 years preceding acquisition. Applications for payment in lieu of  
3540 taxes shall be made no later than May 31 of the year for which  
3541 payment is sought. No payment in lieu of taxes shall be made for  
3542 properties which were exempt from ad valorem taxation for the  
3543 year immediately preceding acquisition.

3544 (5)~~(e)~~ If property that was subject to ad valorem taxation  
3545 was acquired by a tax-exempt entity for ultimate conveyance to  
3546 the state under this chapter, payment in lieu of taxes shall be  
3547 made for such property based upon the average amount of ad  
3548 valorem taxes paid on the property for the 3 years prior to its



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3549 being removed from the tax rolls. The water management districts  
3550 shall certify to the Department of Revenue those properties that  
3551 may be eligible under this provision. Once eligibility has been  
3552 established, that governmental entity shall receive annual  
3553 payments for each tax loss until the qualifying governmental  
3554 entity exceeds the population threshold pursuant to subsection  
3555 (2) paragraph (b).

3556 (6) ~~(f)~~ Payment in lieu of taxes pursuant to this subsection  
3557 shall be made annually to qualifying counties and local  
3558 governments after certification by the Department of Revenue  
3559 that the amounts applied for are reasonably appropriate, based  
3560 on the amount of actual ad valorem taxes paid on the eligible  
3561 property, and after the water management districts have provided  
3562 supporting documents to the Chief Financial Officer and have  
3563 requested that payment be made in accordance with the  
3564 requirements of this section. With the assistance of the local  
3565 government requesting payment in lieu of taxes, the water  
3566 management district that acquired the land is responsible for  
3567 preparing and submitting application requests for payment to the  
3568 Department of Revenue for certification.

3569 (7) ~~(g)~~ If a water management district conveys to a county  
3570 or local government title to any land owned by the district, any  
3571 payments in lieu of taxes on the land made to the county or  
3572 local government shall be discontinued as of the date of the  
3573 conveyance.

3574 ~~(11) Notwithstanding any provision of this section to the~~  
3575 ~~contrary, the governing board of a water management district may~~  
3576 ~~request, and the Secretary of Environmental Protection shall~~  
3577 ~~release upon such request, moneys allocated to the districts~~



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3578 ~~pursuant to subsection (8) for purposes consistent with the~~  
3579 ~~provisions of s. 373.709, s. 373.705, s. 373.139, or ss.~~  
3580 ~~373.451-373.4595 and for legislatively authorized land~~  
3581 ~~acquisition and water restoration initiatives. No funds may be~~  
3582 ~~used pursuant to this subsection until necessary debt service~~  
3583 ~~obligations, requirements for payments in lieu of taxes, and~~  
3584 ~~land management obligations that may be required by this chapter~~  
3585 ~~are provided for.~~

3586 ~~(12) Notwithstanding subsection (8), and for the 2014-2015~~  
3587 ~~fiscal year only, the moneys from the Water Management Lands~~  
3588 ~~Trust Fund are allocated as follows:~~

3589 ~~(a) An amount necessary to pay debt service on bonds issued~~  
3590 ~~before February 1, 2009, by the South Florida Water Management~~  
3591 ~~District and the St. Johns River Water Management District,~~  
3592 ~~which are secured by revenues provided pursuant to this section,~~  
3593 ~~or to fund debt service reserve funds, rebate obligations, or~~  
3594 ~~other amounts payable with respect to such bonds.~~

3595 ~~(b) Eight million dollars to be transferred to the General~~  
3596 ~~Revenue Fund.~~

3597 ~~(c) Seven million seven hundred thousand dollars to be~~  
3598 ~~transferred to the Save Our Everglades Trust Fund to support~~  
3599 ~~Everglades restoration projects included in the final report of~~  
3600 ~~the Select Committee on Indian River Lagoon and Lake Okeechobee~~  
3601 ~~Basin, dated November 8, 2013.~~

3602 ~~(d) Any remaining funds to be provided in accordance with~~  
3603 ~~the General Appropriations Act.~~

3604

3605 ~~This subsection expires July 1, 2015.~~

3606 ~~Section 46. Section 373.5905, Florida Statutes, is amended~~



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3607 to read:

3608           373.5905 Reinstatement of payments in lieu of taxes;  
3609 duration.—If a water management district has made a payment in  
3610 lieu of taxes to a governmental entity and subsequently  
3611 suspended such payment, beginning July 1, 2009, the water  
3612 management district shall reinstate appropriate payments and  
3613 continue the payments for as long as the county population  
3614 remains below the population threshold pursuant to s.  
3615 373.59(2)(a) ~~s. 373.59(10)(b)~~. This section does not authorize  
3616 or provide for payments in arrears.

3617           Section 47. Subsection (8) of section 373.703, Florida  
3618 Statutes, is amended to read:

3619           373.703 Water production; general powers and duties.—In the  
3620 performance of, and in conjunction with, its other powers and  
3621 duties, the governing board of a water management district  
3622 existing pursuant to this chapter:

3623           (8) In addition to the power to issue revenue bonds  
3624 pursuant to s. 373.584, may issue revenue bonds for the purposes  
3625 of paying the costs and expenses incurred in carrying out the  
3626 purposes of this chapter or refunding obligations of the  
3627 district issued pursuant to this section. Such revenue bonds  
3628 shall be secured by, and be payable from, revenues derived from  
3629 the operation, lease, or use of its water production and  
3630 transmission facilities and other water-related facilities and  
3631 from the sale of water or services relating thereto. Such  
3632 revenue bonds may not be secured by, or be payable from, ~~moneys~~  
3633 ~~derived by the district from the Water Management Lands Trust~~  
3634 ~~Fund or from~~ ad valorem taxes received by the district or from  
3635 moneys appropriated by the Legislature, unless otherwise



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3636 specifically authorized by law. All provisions of s. 373.584  
3637 relating to the issuance of revenue bonds which are not  
3638 inconsistent with this section shall apply to the issuance of  
3639 revenue bonds pursuant to this section. The district may also  
3640 issue bond anticipation notes in accordance with the provisions  
3641 of s. 373.584.

3642 Section 48. Subsection (8) of section 375.031, Florida  
3643 Statutes, is amended to read:

3644 375.031 Acquisition of land; procedures.—

3645 (8) The department may, if it deems it desirable and in the  
3646 best interest of the program, request the board of trustees to  
3647 sell or otherwise dispose of any lands or water storage areas  
3648 acquired under this act. The board of trustees, when so  
3649 requested, shall offer the lands or water storage areas, on such  
3650 terms as the department may determine, first to other state  
3651 agencies and then, if still available, to the county or  
3652 municipality in which the lands or water storage areas lie. If  
3653 not acquired by another state agency or local governmental body  
3654 for beneficial public purposes, the lands or water storage areas  
3655 shall then be offered by the board of trustees at public sale,  
3656 after first giving notice of such sale by publication in a  
3657 newspaper published in the county or counties in which such  
3658 lands or water storage areas lie not less than once a week for 3  
3659 consecutive weeks. All proceeds from the sale or disposition of  
3660 any lands or water storage areas pursuant to this section shall  
3661 be deposited into the appropriate trust fund pursuant to s.  
3662 253.034(6)(k), (l), or (m) in the Land Acquisition Trust Fund.

3663 Section 49. Section 375.041, Florida Statutes, is amended  
3664 to read:



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3665           375.041 Land Acquisition Trust Fund.-  
3666           (1) There is created a Land Acquisition Trust Fund within  
3667 the Department of Environmental Protection. The Land Acquisition  
3668 Trust Fund is designated by s. 28, Art. X of the State  
3669 Constitution for receipt of certain documentary stamp tax  
3670 revenue for the uses prescribed therein ~~to facilitate and~~  
3671 ~~expedite the acquisition of land, water areas, and related~~  
3672 ~~resources required to accomplish the purposes of this act.~~ The  
3673 Land Acquisition Trust Fund shall be held and administered by  
3674 the department. All moneys and revenue from the ~~operation,~~  
3675 ~~management, sale, lease, or other disposition of land, water~~  
3676 ~~areas, or related resources~~ acquired on or after July 1, 2015,  
3677 under the Florida Forever Program, and the facilities thereon  
3678 ~~acquired or constructed under this act~~ shall be deposited into  
3679 ~~in~~ or credited to the Land Acquisition Trust Fund or, if  
3680 required by bond covenants, into the trust fund from which the  
3681 lands were purchased. Moneys accruing to any agency for the  
3682 ~~purposes enumerated in this act may be deposited in this fund.~~  
3683 ~~There shall also be deposited into the Land Acquisition Trust~~  
3684 ~~Fund other moneys as authorized by appropriate act of the~~  
3685 ~~Legislature.~~ All moneys so deposited into the Land Acquisition  
3686 Trust Fund shall be trust funds for the uses and purposes herein  
3687 set forth, within the meaning of s. 215.32(1)(b); and such  
3688 moneys shall not become or be commingled with the General  
3689 Revenue Fund of the state, as defined by s. 215.32(1)(a).  
3690           (2) Funds distributed into ~~The moneys on deposit in the~~  
3691 Land Acquisition Trust Fund pursuant to s. 201.15(1) shall be  
3692 ~~first~~ applied first to:  
3693           (a) Pay debt service or to fund debt service reserve funds,





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3694 rebate obligations, or other amounts payable with respect to  
3695 Florida Forever bonds issued under s. 215.63; pay into the State  
3696 Treasury to the credit of the Save Our Everglades Trust Fund  
3697 amounts necessary to pay debt service, provide reserves, and pay  
3698 rebate obligations and other amounts due with respect to bonds  
3699 issued under s. 215.619; and pay debt service or funding of debt  
3700 service reserve funds, rebate obligations, or other amounts  
3701 payable with respect to the bonds issued under s. 373.584; and

3702 (b) Distribute \$32 million to the South Florida Water  
3703 Management District for the Long-Term Plan as defined in s.  
3704 373.4592(2). This paragraph expires July 1, 2024 ~~pay the rentals~~  
3705 ~~due under lease-purchase agreements or to meet debt service~~  
3706 ~~requirements of revenue bonds issued pursuant to s. 375.051;~~  
3707 ~~provided, however, that debt service on Save Our Coast bonds~~  
3708 ~~shall not be paid from moneys transferred to the Land~~  
3709 ~~Acquisition Trust Fund pursuant to s. 259.032(2)(b).~~

3710 (3)(a) Any remaining moneys in the Land Acquisition Trust  
3711 Fund which are not distributed ~~pledged for rentals or debt~~  
3712 ~~service~~ as provided in subsection (2) may be expended from time  
3713 to time for the purposes set forth in s. 28, Art. X of the State  
3714 Constitution to acquire land, water areas, and related resources  
3715 and to construct, improve, enlarge, extend, operate, and  
3716 maintain capital improvements and facilities in accordance with  
3717 the plan. Moneys accruing to other agencies for the purposes  
3718 designated in subsection (1) shall be transferred pursuant to  
3719 nonoperating budget authority under s. 216.181(12). Agencies  
3720 shall maintain the integrity of such transferred moneys. Any  
3721 transferred moneys available from reversions or reductions of  
3722 budget authority in the other agencies shall be transferred back



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3723 to the Land Acquisition Trust Fund in the Department of  
3724 Environmental Protection within 15 days after such reversion or  
3725 reduction and must be available for future appropriation  
3726 pursuant to s. 28, Art. X of the State Constitution.

3727 ~~(b) In addition to the uses allowed under paragraph (a),~~  
3728 ~~for the 2014-2015 fiscal year, moneys in the Land Acquisition~~  
3729 ~~Trust Fund may be transferred to support the Total Maximum Daily~~  
3730 ~~Loads Program as provided in the General Appropriations Act.~~  
3731 ~~This paragraph expires July 1, 2015.~~

3732 ~~(c) For the 2014-2015 fiscal year only, moneys in the Land~~  
3733 ~~Acquisition Trust Fund may be transferred to the Save Our~~  
3734 ~~Everglades Trust Fund to support Everglades restoration projects~~  
3735 ~~included in the final report of the Select Committee on Indian~~  
3736 ~~River Lagoon and Lake Okeechobee Basin, dated November 8, 2013,~~  
3737 ~~and to the Florida Forever Trust Fund for the Florida Forever~~  
3738 ~~program pursuant to nonoperating budget authority under s.~~  
3739 ~~216.181(12). This paragraph expires July 1, 2015.~~

3740 ~~(4) The department may disburse moneys in the Land~~  
3741 ~~Acquisition Trust Fund to pay all necessary expenses to carry~~  
3742 ~~out the purposes of this act. The department shall disburse~~  
3743 ~~moneys from the Land Acquisition Trust Fund to the Fish and~~  
3744 ~~Wildlife Conservation Commission for the purpose of funding law~~  
3745 ~~enforcement services on state lands.~~

3746 ~~(4)(5)~~ When the Legislature has authorized the Department  
3747 of Environmental Protection to condemn a specific parcel of land  
3748 and such parcel already has been approved for acquisition  
3749 through the fund, the land may be acquired in accordance with  
3750 the provisions of chapter 73 or chapter 74, and the fund may be  
3751 used to pay the condemnation award and all costs, including a



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3752 reasonable attorney ~~attorney's~~ fee, associated with  
3753 condemnation.

3754 Section 50. Subsection (2) of section 375.044, Florida  
3755 Statutes, is amended to read:

3756 375.044 Land Acquisition Trust Fund budget request.—

3757 (2) The legislative budget request shall be submitted to  
3758 the Executive Office of the Governor and the Legislature in  
3759 conjunction with the provisions of ss. 216.023, 216.031, and  
3760 216.043. The 10-year request shall include, but need ~~shall~~ not  
3761 be limited to:

3762 (a) A 10-year annual cash-flow analysis of the Land  
3763 Acquisition Trust Fund.

3764 ~~(b) The requested schedule of the agency for issuance of  
3765 Save Our Coasts bonds.~~

3766 (b) ~~(e)~~ Forecasts of anticipated revenues to the Land  
3767 Acquisition Trust Fund.

3768 (c) ~~(d)~~ The estimate of the agency of Land Acquisition Trust  
3769 Fund encumbrances and commitments for each year and the  
3770 corresponding estimates of expenditures.

3771 Section 51. Section 375.045, Florida Statutes, is repealed.

3772 Section 52. Subsection (1) and paragraph (c) of subsection  
3773 (2) of section 375.075, Florida Statutes, are amended to read:

3774 375.075 Outdoor recreation; financial assistance to local  
3775 governments.—

3776 (1) The Department of Environmental Protection is  
3777 authorized to establish the Florida Recreation Development  
3778 Assistance Program to provide grants subject to legislative  
3779 appropriation to qualified local governmental entities to  
3780 acquire or develop land for public outdoor recreation purposes.



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3781 ~~To the extent not needed for debt service on bonds issued~~  
3782 ~~pursuant to s. 375.051, each year the department shall develop~~  
3783 ~~and plan a program which shall be based upon funding of not less~~  
3784 ~~than 5 percent of the money credited to the Land Acquisition~~  
3785 ~~Trust Fund pursuant to s. 201.15(2) and (3) in that year. The~~  
3786 ~~department shall develop and plan a program that must which~~  
3787 ~~shall be based upon the cumulative total funding appropriated by~~  
3788 ~~the Legislature for such purpose provided from this section and~~  
3789 ~~from the Florida Forever Trust Fund pursuant to s.~~  
3790 ~~259.105(3)(d).~~

3791 (2)

3792 (c) Funds may not be released under ~~No release of funds~~  
3793 ~~from the Land Acquisition Trust Fund, or from the Florida~~  
3794 ~~Forever Trust Fund beginning in fiscal year 2001-2002, for this~~  
3795 ~~program may be made for these public recreation projects until~~  
3796 ~~the projects have been selected through the competitive~~  
3797 ~~selection process provided for in this section.~~

3798 Section 53. Section 376.11, Florida Statutes, is amended to  
3799 read:

3800 376.11 Florida Coastal Protection Trust Fund.—

3801 (1) The purpose of this section is to provide a mechanism  
3802 to have financial resources immediately available for prevention  
3803 of, and cleanup and rehabilitation after, a pollutant discharge,  
3804 to prevent further damage by the pollutant, and to pay for  
3805 damages. It is the legislative intent that this section be  
3806 liberally construed to effect the purposes set forth, such  
3807 interpretation being especially imperative in light of the  
3808 danger to the environment and resources.

3809 (2) The Florida Coastal Protection Trust Fund is



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3810 established, to be used by the department and the Fish and  
3811 Wildlife Conservation Commission as a nonlapsing revolving fund  
3812 ~~for carrying out the purposes of ss. 376.011-376.21.~~

3813 (3) The following funds shall be deposited into the Florida  
3814 Coastal Protection Trust Fund: ~~To this fund shall be credited~~

3815 (a) All registration fees, penalties, judgments, damages  
3816 recovered pursuant to s. 376.121, other fees and charges related  
3817 to ss. 376.011-376.21, and the excise tax revenues levied,  
3818 collected, and credited pursuant to ss. 206.9935(1) and  
3819 206.9945(1) (a);

3820 (b) Proceeds of fines and awards of damages pursuant to s.  
3821 161.054; and

3822 (c) Funds from other sources otherwise specified by law.

3823 (4) Charges against the fund shall be in accordance with  
3824 this section.

3825 (5)~~(3)~~ Moneys in the fund that are not needed currently to  
3826 meet the obligations of the department in the exercise of its  
3827 responsibilities under ss. 376.011-376.21 shall be deposited  
3828 with the Chief Financial Officer to the credit of the fund and  
3829 may be invested in such manner as is provided for by statute.  
3830 Interest received on such investment shall be credited to the  
3831 fund, except as otherwise specified herein.

3832 (6)~~(4)~~ Moneys in the Florida Coastal Protection Trust Fund  
3833 may ~~shall~~ be used ~~disbursed~~ for the following purposes ~~and no~~  
3834 others:

3835 (a) Carrying out the purposes of ss. 376.011-376.21.

3836 (b)~~(a)~~ Administrative expenses, personnel expenses, and  
3837 equipment costs of the department and the Fish and Wildlife  
3838 Conservation Commission related to the enforcement of ss.



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3839 376.011-376.21.

3840 (c)~~(b)~~ All costs involved in the prevention and abatement  
3841 of pollution related to the discharge of pollutants covered by  
3842 ss. 376.011-376.21 and the abatement of other potential  
3843 pollution hazards as authorized herein.

3844 (d)~~(e)~~ All costs and expenses of the cleanup, restoration,  
3845 and rehabilitation of waterfowl, wildlife, and all other natural  
3846 resources damaged by the discharge of pollutants, including the  
3847 costs of assessing and recovering damages to natural resources,  
3848 whether performed or authorized by the department or any other  
3849 state or local agency.

3850 (e)~~(d)~~ All provable costs and damages which are the  
3851 proximate results of the discharge of pollutants covered by ss.  
3852 376.011-376.21.

3853 (f)~~(e)~~ Loans to the Inland Protection Trust Fund created in  
3854 s. 376.3071.

3855 (g)~~(f)~~ The interest earned from investments of the balance  
3856 in the Florida Coastal Protection Trust Fund shall be used for  
3857 funding the administrative expenses, personnel expenses, and  
3858 equipment costs of the department relating to the enforcement of  
3859 ss. 376.011-376.21.

3860 (h)~~(g)~~ The funding of a grant program to local governments,  
3861 pursuant to s. 376.15(3)(d) and (e), for the removal of derelict  
3862 vessels from the public waters of the state.

3863 (i)~~(h)~~ The department may spend up to \$1 million per year  
3864 from the principal of the fund to acquire, design, train, and  
3865 maintain emergency cleanup response teams and equipment located  
3866 at appropriate ports throughout the state for the purpose of  
3867 cleaning oil and other toxic materials from coastal waters. When



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3868 the teams and equipment are not needed for these purposes they  
3869 may be used for any other valid purpose of the department.

3870 (j)~~(i)~~ To provide a temporary transfer of funds in an  
3871 amount not to exceed \$10 million to the Minerals Trust Fund as  
3872 set forth in s. 376.40.

3873 (k)~~(j)~~ Funding for marine law enforcement.

3874 (7)~~(5)~~ Any interest in lands acquired using moneys in the  
3875 Florida Coastal Protection Trust Fund shall be held by the  
3876 Trustees of the Internal Improvement Trust Fund, and such lands  
3877 shall be acquired pursuant to the procedures set forth in s.  
3878 253.025.

3879 (8)~~(6)~~ The department shall recover to the use of the fund  
3880 from the person or persons causing the discharge or from the  
3881 Federal Government, jointly and severally, all sums owed or  
3882 expended from the fund, pursuant to s. 376.123(10), except that  
3883 recoveries resulting from damage due to a discharge of a  
3884 pollutant or other similar disaster shall be apportioned between  
3885 the Florida Coastal Protection Trust Fund and the General  
3886 Revenue Fund so as to repay the full costs to the General  
3887 Revenue Fund of any sums disbursed therefrom as a result of such  
3888 disaster. Requests for reimbursement to the fund for the above  
3889 costs, if not paid within 30 days of demand, shall be turned  
3890 over to the Department of Legal Affairs for collection.

3891 Section 54. Subsection (8) of section 376.123, Florida  
3892 Statutes, is amended to read:

3893 376.123 Claims against the Florida Coastal Protection Trust  
3894 Fund.—

3895 (8) If a person chooses to make a claim against the fund  
3896 and accepts payment from, or a judgment against, the fund, then



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3897 the department shall be subrogated to any cause of action that  
3898 the claimant may have had, to the extent of such payment or  
3899 judgment, and shall diligently pursue recovery on that cause of  
3900 action pursuant to subsection (10) and s. 376.11(8) ~~s.~~  
3901 ~~376.11(6)~~. In any such action, the amount of damages shall be  
3902 proved by the department by submitting to the court a written  
3903 report of the amounts paid or owed from the fund to claimants.  
3904 Such written report shall be admissible as evidence, and the  
3905 amounts paid from or owed by the fund to the claimants stated  
3906 therein shall be irrebuttably presumed to be the amount of  
3907 damages.

3908 Section 55. Paragraphs (g) through (m) are added to  
3909 subsection (1) of section 376.307, Florida Statutes, subsection  
3910 (4) of that section is amended, and subsection (8) is added to  
3911 that section, to read:

3912 376.307 Water Quality Assurance Trust Fund.—

3913 (1) The Water Quality Assurance Trust Fund is intended to  
3914 serve as a broad-based fund for use in responding to incidents  
3915 of contamination that pose a serious danger to the quality of  
3916 groundwater and surface water resources or otherwise pose a  
3917 serious danger to the public health, safety, or welfare. Moneys  
3918 in this fund may be used:

3919 (g) For detailed planning for and implementation of  
3920 programs for the management and restoration of ecosystems.

3921 (h) For development and implementation of surface water  
3922 improvement and management plans and programs under ss. 373.451-  
3923 373.4595.

3924 (i) For activities to restore polluted areas of the state,  
3925 as defined by the department, to their condition before





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3926 pollution occurred or to otherwise enhance pollution control  
3927 activities.

3928 (j) For activities undertaken by the department to recover  
3929 moneys as a result of actions against a person for a violation  
3930 of chapter 373.

3931 (k) Funding activities described in s. 403.086(9) which are  
3932 authorized for implementation under the Leah Schad Memorial  
3933 Ocean Outfall Program.

3934 (l) Funding activities to restore or rehabilitate injured  
3935 or destroyed coral reefs.

3936 (m) For paying the outstanding and final debt service on  
3937 bonds issued before February 1, 2009, by the South Florida Water  
3938 Management District and the St. Johns River Water Management  
3939 District which are secured by revenues provided pursuant to  
3940 former s. 373.59, Florida Statutes 2014, or to fund debt service  
3941 reserve funds, rebate obligations, or other amounts payable with  
3942 respect to such bonds. This paragraph expires August 1, 2016.

3943 (4) The trust fund shall be funded as follows:

3944 (a) An annual transfer of interest funds from the Florida  
3945 Coastal Protection Trust Fund pursuant to s. 376.11(6)(g) ~~s.~~  
3946 ~~376.11(4)(f)~~.

3947 (b) All excise taxes levied, collected, and credited to the  
3948 Water Quality Assurance Trust Fund in accordance with the  
3949 provisions of ss. 206.9935(2) and 206.9945(1)(b).

3950 (c) All penalties, judgments, recoveries, reimbursements,  
3951 and other fees and charges related to the enforcement of ss.  
3952 376.30-376.317, other than penalties, judgments, and other fees  
3953 and charges related to the enforcement of ss. 376.3071 and  
3954 376.3073.



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3955 (d) The fee on the retail sale of lead-acid batteries  
3956 credited to the Water Quality Assurance Trust Fund under s.  
3957 403.7185.

3958 (e) All penalties, judgments, recoveries, reimbursements,  
3959 loans, and other fees and charges collected under s. 376.3078;  
3960 tax revenues levied, collected, and credited under ss. 376.70  
3961 and 376.75; and registration fees collected under s.  
3962 376.303(1)(d).

3963 (f) All civil penalties recovered pursuant to s.  
3964 373.129(5)(a).

3965 (g) Funds appropriated by the Legislature for the purposes  
3966 of ss. 373.451-373.4598.

3967 (h) Moneys collected pursuant to s. 403.121 and designated  
3968 for deposit into the Water Quality Assurance Trust Fund.

3969 (i) Moneys recovered by the state as a result of actions  
3970 against a person for a violation of chapter 373 or chapter 403  
3971 initiated by the department.

3972 (j) Damages recovered for coral reef protection pursuant to  
3973 s. 403.93345.

3974 (k) Funds available for the Leah Schad Memorial Ocean  
3975 Outfall Program pursuant to s. 403.08601.

3976 (l) Funds received by the state for injury to or  
3977 destruction of coral reefs, which moneys would otherwise be  
3978 deposited into the General Revenue Fund or the Internal  
3979 Improvement Trust Fund. The department may enter into settlement  
3980 agreements that require responsible parties to pay a third party  
3981 to fund projects related to the restoration of a coral reef, to  
3982 accomplish mitigation for injury to a coral reef, or to support  
3983 the activities of law enforcement agencies related to coral reef



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3984 injury response, investigation, and assessment. Participation of  
3985 a law enforcement agency in the receipt of funds through this  
3986 mechanism shall be at the law enforcement agency's discretion.

3987 (m) Moneys from sources otherwise specified by law.

3988 (8) A settlement entered into by the department may not  
3989 limit the Legislature's authority to appropriate moneys from the  
3990 trust fund; however, the department may enter into a settlement  
3991 in which the department agrees to request that moneys received  
3992 pursuant to the settlement will be included in its legislative  
3993 budget request for purposes set out in the settlement; and  
3994 further, the department may enter into a settlement in cases  
3995 involving joint enforcement with the Hillsborough County  
3996 pollution control program, as a program approved by the  
3997 department pursuant to s. 403.182, in which the department  
3998 agrees that moneys are to be deposited into that local program's  
3999 pollution recovery fund and used for projects directed toward  
4000 addressing the environmental damage that was the cause of action  
4001 for which funds were received.

4002 Section 56. Subsection (4) of section 376.40, Florida  
4003 Statutes, is amended to read:

4004 376.40 Petroleum exploration and production; purposes;  
4005 funding.—

4006 (4) FUNDING.—There shall be deposited in the Minerals Trust  
4007 Fund:

4008 (a) All fees charged permittees under ss. 377.24(1),  
4009 377.2408(1), and 377.2425(1) (b).

4010 (b) All penalties, judgments, recoveries, reimbursements,  
4011 and other fees and charges related to the implementation of this  
4012 section.



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4013 (c) Any other funds required to be deposited in the trust  
4014 fund under provisions of law.

4015  
4016 If moneys on deposit in the trust fund are not sufficient to  
4017 satisfy the needed remedial or corrective action, and if the  
4018 responsible party does not take remedial and corrective action  
4019 in a timely manner or if a catastrophic event occurs, a  
4020 temporary transfer of the required amount, or a maximum of \$10  
4021 million, from the Florida Coastal Protection Trust Fund pursuant  
4022 to s. 376.11(6)(j) ~~s. 376.11(4)(i)~~ is authorized. The Florida  
4023 Coastal Protection Trust Fund shall be reimbursed immediately  
4024 upon deposit into the Minerals Trust Fund of moneys referred to  
4025 in paragraph (b).

4026 Section 57. Section 379.202, Florida Statutes, is repealed.

4027 Section 58. Subsection (2) of section 379.206, Florida  
4028 Statutes, is amended to read:

4029 379.206 Grants and Donations Trust Fund.—

4030 (2) The fund is established for use as a depository for  
4031 funds to be used for allowable grant and donor agreement  
4032 activities funded by restricted contractual revenue. Moneys to  
4033 be credited to the trust fund shall consist of grants and  
4034 donations from private and public nonfederal sources,  
4035 development-of-regional-impact wildlife mitigation  
4036 contributions, interest earnings, and cash advances from other  
4037 trust funds.

4038 Section 59. Section 379.212, Florida Statutes, is amended  
4039 to read:

4040 379.212 Land Acquisition Trust Fund.—

4041 (1) (a) There is established within the Fish and Wildlife



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4042 Conservation Commission the Land Acquisition Trust Fund to  
4043 implement s. 28, Art. X of the State Constitution ~~for the~~  
4044 ~~purpose of acquiring, assisting other agencies or local~~  
4045 ~~governments in acquiring, or managing lands important to the~~  
4046 ~~conservation of fish and wildlife.~~

4047 (b) The Fish and Wildlife Conservation Commission or its  
4048 designee shall manage such lands for the primary purpose of  
4049 maintaining and enhancing their habitat value for fish and  
4050 wildlife. Other uses may be allowed that are not contrary to  
4051 this purpose.

4052 (c) If ~~Where~~ acquisition pursuant to this section will  
4053 result in state ownership of land, title shall be vested in the  
4054 Board of Trustees of the Internal Improvement Trust Fund as  
4055 required in chapter 253. Land acquisition pursuant to this  
4056 section shall be voluntary, negotiated acquisition and, if ~~where~~  
4057 title is to be vested in the Board of Trustees of the Internal  
4058 Improvement Trust Fund, is subject to the acquisition procedures  
4059 of s. 253.025.

4060 (d) Acquisition costs shall include purchase prices and  
4061 costs and fees associated with title work, surveys, and  
4062 appraisals required to complete an acquisition.

4063 (2) The fund may be credited with funds transferred from  
4064 the Land Acquisition Trust Fund within the Department of  
4065 Environmental Protection as provided in s. 375.041 ~~Moneys which~~  
4066 ~~may be deposited into the Land Acquisition Trust Fund for the~~  
4067 ~~purposes of this section may include, but not be limited to,~~  
4068 ~~donations, grants, development-of-regional-impact wildlife~~  
4069 ~~mitigation contributions, or legislative appropriations.~~  
4070 ~~Preservation 2000 acquisition moneys and Conservation and~~



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4071 ~~Recreation Lands management moneys shall not be deposited into~~  
4072 ~~this fund.~~

4073 (3) The Fish and Wildlife Conservation Commission shall  
4074 maintain the integrity of such moneys transferred from the  
4075 Department of Environmental Protection. Any transferred moneys  
4076 available from reversions and reductions in budget authority  
4077 shall be transferred back to the Land Acquisition Trust Fund in  
4078 the Department of Environmental Protection within 15 days after  
4079 such reversion or reduction and must be available for future  
4080 appropriation pursuant to s. 28, Art. X of the State  
4081 Constitution.

4082 Section 60. Effective upon becoming a law, all undisbursed,  
4083 unobligated balances and all certified forward appropriations  
4084 remaining in the Land Acquisition Trust Fund within the Fish and  
4085 Wildlife Conservation Commission on June 30, 2015, shall be  
4086 transferred to the Grants and Donations Trust Fund, FLAIR number  
4087 77-2-339, within the Fish and Wildlife Conservation Commission.

4088 Section 61. Subsection (2) of section 379.214, Florida  
4089 Statutes, is amended to read:

4090 379.214 Invasive Plant Control Trust Fund.—

4091 (2) Funds to be credited to and uses of the trust fund  
4092 shall be administered in accordance with the provisions of ss.  
4093 ~~201.15,~~ 206.606, 328.76, 369.20, 369.22, 369.252, and 379.502.

4094 Section 62. Subsection (3) of section 379.362, Florida  
4095 Statutes, is amended to read:

4096 379.362 Wholesale and retail saltwater products dealers;  
4097 regulation.—

4098 (3) OYSTER MANAGEMENT AND RESTORATION PROGRAMS.—The  
4099 Department of Agriculture and Consumer Services shall use ~~or~~



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4100 ~~distribute~~ funds appropriated from the Land Acquisition Trust  
4101 Fund within the department ~~paid into the State Treasury to the~~  
4102 ~~credit of the General Inspection Trust Fund pursuant to s.~~  
4103 ~~201.15, less reasonable costs of administration,~~ to fund the  
4104 following oyster management and restoration programs in  
4105 Apalachicola Bay and other oyster harvest areas in the state:

4106 (a) The relaying and transplanting of live oysters.

4107 (b) Shell planting to construct or rehabilitate oyster  
4108 bars.

4109 (c) Education programs for licensed oyster harvesters on  
4110 oyster biology, aquaculture, boating and water safety,  
4111 sanitation, resource conservation, small business management,  
4112 and other relevant subjects.

4113 (d) Research directed toward the enhancement of oyster  
4114 production in the bay and the water management needs of the bay.

4115 Section 63. Subsection (12) of section 380.0666, Florida  
4116 Statutes, is amended to read:

4117 380.0666 Powers of land authority.—The land authority shall  
4118 have all the powers necessary or convenient to carry out and  
4119 effectuate the purposes and provisions of this act, including  
4120 the following powers, which are in addition to all other powers  
4121 granted by other provisions of this act:

4122 (12) To identify parcels of land within the area or areas  
4123 of critical state concern that would be appropriate acquisitions  
4124 by the state ~~from the Conservation and Recreational Lands Trust~~  
4125 ~~Fund~~ and recommend such acquisitions to the advisory council  
4126 established pursuant to s. 259.035 or its successor.

4127 Section 64. Section 380.0677, Florida Statutes, is  
4128 repealed.



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4129           Section 65. Subsection (11) of section 380.507, Florida  
4130 Statutes, is amended to read:

4131           380.507 Powers of the trust.—The trust shall have all the  
4132 powers necessary or convenient to carry out the purposes and  
4133 provisions of this part, including:

4134           (11) To make rules necessary to carry out the purposes of  
4135 this part and to exercise any power granted in this part,  
4136 pursuant to ~~the provisions of~~ chapter 120. The trust shall adopt  
4137 rules governing the acquisition of lands with ~~using~~ proceeds  
4138 from ~~the Preservation 2000 Trust Fund and the Florida Forever~~  
4139 ~~Trust Fund~~, consistent with the intent expressed in the Florida  
4140 Forever Act. Such rules for land acquisition must include, but  
4141 are not limited to, procedures for appraisals and  
4142 confidentiality consistent with ss. 125.355(1) (a) and (b) and  
4143 166.045(1) (a) and (b), a method of determining a maximum  
4144 purchase price, and procedures to assure that the land is  
4145 acquired in a voluntarily negotiated transaction, surveyed,  
4146 conveyed with marketable title, and examined for hazardous  
4147 materials contamination. Land acquisition procedures of a local  
4148 land authority created pursuant to s. 380.0663 ~~or s. 380.0677~~  
4149 may be used for the land acquisition programs described in  
4150 former s. ~~by ss.~~ 259.101(3) (c), Florida Statutes 2014, and in s.  
4151 259.105 if within areas of critical state concern designated  
4152 pursuant to s. 380.05, subject to approval of the trust.

4153           Section 66. Subsection (4) of section 380.508, Florida  
4154 Statutes, is amended to read:

4155           380.508 Projects; development, review, and approval.—

4156           (4) Projects or activities which the trust undertakes,  
4157 coordinates, or funds in any manner shall comply with the





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4158 following guidelines:

4159 (a) The purpose of redevelopment projects shall be to  
4160 restore areas which are adversely affected by scattered  
4161 ownership, poor lot layout, inadequate park and open space,  
4162 incompatible land uses, or other conditions which endanger the  
4163 environment or impede orderly development. Grants and loans  
4164 awarded for redevelopment projects shall be used for assembling  
4165 parcels of land within redevelopment project areas for the  
4166 redesign of such areas and for the installation of public  
4167 improvements required to serve such areas. After redesign and  
4168 installation of public improvements, if any, lands in  
4169 redevelopment projects, with the exception of lands acquired for  
4170 public purposes, shall be conveyed to any person for development  
4171 in accordance with a redevelopment project plan approved  
4172 according to this part.

4173 (b) The purpose of resource enhancement projects shall be  
4174 to enhance natural resources which, because of indiscriminate  
4175 dredging or filling, improper location of improvements, natural  
4176 or human-induced events, or incompatible land uses, have  
4177 suffered loss of natural and scenic values. Grants and loans  
4178 awarded for resource enhancement projects shall be used for the  
4179 assembly of parcels of land to improve resource management, for  
4180 relocation of improperly located or designed improvements, and  
4181 for other corrective measures which will enhance the natural and  
4182 scenic character of project areas.

4183 (c) The purpose of public access projects shall be to  
4184 acquire interests in and initially develop lands which are  
4185 suitable for and which will be used for public accessways to  
4186 surface waters. The trust shall identify local governments and



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4187 nonprofit organizations which will accept responsibility for  
4188 maintenance and liability for public accessways which are  
4189 located outside the state park system. The trust may lease any  
4190 public access site developed under this part to a local  
4191 government or nonprofit organization, provided that the  
4192 conditions of the lease guarantee public use of the site. The  
4193 trust may accept, from any local government or nonprofit  
4194 organization, fees collected for providing public access to  
4195 surface waters. The trust shall expend any such funds it accepts  
4196 only for acquisition, development, and maintenance of such  
4197 public accessways. To the maximum extent possible, the trust  
4198 shall expend such fees in the general area where they are  
4199 collected or in areas where public access to surface waters is  
4200 clearly deficient. The trust may transfer funds, including such  
4201 fees, to a local government or nonprofit organization to acquire  
4202 public access sites. In developing or coordinating public access  
4203 projects, the trust shall ensure that project plans involving  
4204 beach access are consistent with state laws governing beach  
4205 access.

4206 (d) The purpose of urban waterfront restoration projects  
4207 shall be to restore deteriorated or deteriorating urban  
4208 waterfronts for public use and enjoyment. Urban waterfront  
4209 restoration projects shall include public access sites.

4210 (e) The purpose of working waterfront projects shall be to  
4211 restore and preserve working waterfronts as provided in s.  
4212 380.5105.

4213 (f) The trust shall cooperate with local governments, state  
4214 agencies, federal agencies, and nonprofit organizations in  
4215 ensuring the reservation of lands for parks, recreation, fish



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4216 and wildlife habitat, historical preservation, or scientific  
4217 study. ~~If in the event that~~ any local government, state agency,  
4218 federal agency, or nonprofit organization is unable, due to  
4219 limited financial resources or other circumstances of a  
4220 temporary nature, to acquire a site for the purposes described  
4221 in this paragraph, the trust may acquire and hold the site for  
4222 subsequent conveyance to the appropriate governmental agency or  
4223 nonprofit organization. The trust may provide such technical  
4224 assistance as ~~is~~ required to aid local governments, state and  
4225 federal agencies, and nonprofit organizations in completing  
4226 acquisition and related functions. The trust may ~~shall~~ not  
4227 reserve lands acquired in accordance with this paragraph for  
4228 more than 5 years from the time of acquisition. A local  
4229 government, federal or state agency, or nonprofit organization  
4230 may acquire the land at any time during this period for public  
4231 purposes. The purchase price shall be based upon the trust's  
4232 cost of acquisition, plus administrative and management costs in  
4233 reserving the land. The payment of the ~~this~~ purchase price shall  
4234 be by money, trust-approved property of an equivalent value, or  
4235 a combination of money and trust-approved property. If, after  
4236 the 5-year period, the trust has not sold to a governmental  
4237 agency or nonprofit organization land acquired for site  
4238 reservation, the trust shall dispose of such land at fair market  
4239 value or shall trade it for other land of comparable value which  
4240 will serve to accomplish the purposes of this part. Any proceeds  
4241 from the sale of such land shall be deposited into ~~in~~ the  
4242 appropriate Florida Communities trust fund pursuant to s.  
4243 253.034(6)(k), (l), or (m). All moneys and revenue from the  
4244 operation, management, lease, or other disposition of land,



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4245 water areas, related resources, and the facilities thereon  
4246 acquired or constructed under this part shall be credited to or  
4247 deposited into the Internal Improvement Trust Fund.

4248  
4249 Project costs may include costs of providing parks, open space,  
4250 public access sites, scenic easements, and other areas and  
4251 facilities serving the public where such features are part of a  
4252 project plan approved according to this part. In undertaking or  
4253 coordinating projects or activities authorized by this part, the  
4254 trust shall, when appropriate, use and promote the use of  
4255 creative land acquisition methods, including the acquisition of  
4256 less than fee interest through, among other methods,  
4257 conservation easements, transfer of development rights, leases,  
4258 and leaseback arrangements. The trust ~~also~~ shall assist local  
4259 governments in the use of sound alternative methods of financing  
4260 for funding projects and activities authorized under ~~by~~ this  
4261 part. Any funds over and above eligible project costs, which  
4262 remain after completion of a project approved according to this  
4263 part, shall be transmitted to the state and deposited into ~~in~~  
4264 the Florida Forever ~~Florida Communities~~ Trust Fund.

4265 Section 67. Paragraph (f) of subsection (3) and subsections  
4266 (5) and (7) of section 380.510, Florida Statutes, are amended to  
4267 read:

4268 380.510 Conditions of grants and loans.—

4269 (3) In the case of a grant or loan for land acquisition,  
4270 agreements shall provide all of the following:

4271 ~~(f) The term of any grant using funds received from the~~  
4272 ~~Preservation 2000 Trust Fund, pursuant to s. 259.101(3)(c),~~  
4273 ~~shall be for a period not to exceed 24 months. The governing~~



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4274 ~~board of the trust may offer a grant with a shorter term and may~~  
4275 ~~extend a grant beyond 24 months when the grant recipient~~  
4276 ~~demonstrates that significant progress is being made toward~~  
4277 ~~closing the project or that extenuating circumstances warrant an~~  
4278 ~~extension of time. If a local government project which was~~  
4279 ~~awarded a grant is not closed within 24 months and the governing~~  
4280 ~~board of the trust does not grant an extension, the grant~~  
4281 ~~reverts to the trust's unencumbered balance of Preservation 2000~~  
4282 ~~funds to be redistributed to other eligible projects. The local~~  
4283 ~~government may reapply for a grant to fund the project in the~~  
4284 ~~trust's next application cycle.~~

4285  
4286 Any deed or other instrument of conveyance whereby a nonprofit  
4287 organization or local government acquires real property under  
4288 this section shall set forth the interest of the state. The  
4289 trust shall keep at least one copy of any such instrument and  
4290 shall provide at least one copy to the Board of Trustees of the  
4291 Internal Improvement Trust Fund.

4292 (5) Any funds the trust collects from a nonprofit  
4293 organization or local government under a grant or loan agreement  
4294 shall be deposited into in the Internal Improvement Florida  
4295 Communities Trust Fund within the Department of Environmental  
4296 Protection.

4297 (7) Any funds received by the trust ~~from the Preservation~~  
4298 ~~2000 Trust Fund pursuant to s. 259.105(3)(c) or s. 375.041 s.~~  
4299 ~~259.101(3)(c) and the Florida Forever Trust Fund pursuant to s.~~  
4300 ~~259.105(3)(c)~~ shall be held separate and apart from any other  
4301 funds held by the trust and shall be used for the land  
4302 acquisition purposes of this part. ~~In addition to the other~~



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4303 ~~conditions set forth in this section, the disbursement of~~  
4304 ~~Preservation 2000 and Florida Forever funds from the trust shall~~  
4305 ~~be subject to the following conditions:~~

4306 (a) The administration and use of Florida Forever ~~any~~ funds  
4307 ~~are received by the trust from the Preservation 2000 Trust Fund~~  
4308 ~~and the Florida Forever Trust Fund shall be subject to such~~  
4309 terms and conditions imposed thereon by the agency of the state  
4310 responsible for the bonds, the proceeds of which are deposited  
4311 ~~into in the Preservation 2000 Trust Fund and the Florida Forever~~  
4312 ~~Trust Fund, including restrictions imposed to ensure that the~~  
4313 interest on any such bonds issued by the state as tax-exempt  
4314 bonds ~~is will~~ not be included in the gross income of the holders  
4315 of such bonds for federal income tax purposes.

4316 (b) All deeds or leases with respect to any real property  
4317 acquired with funds received by the trust from the Preservation  
4318 2000 Trust Fund, the Florida Forever Trust Fund, or the Land  
4319 Acquisition Trust Fund must shall contain such covenants and  
4320 restrictions as are sufficient to ensure that the use of such  
4321 real property at all times complies with s. 375.051 and s. 9,  
4322 Art. XII of the State Constitution. Each deed All deeds or lease  
4323 ~~leases~~ with respect to any real property acquired with funds  
4324 received by the trust from the Florida Forever Trust Fund before  
4325 July 1, 2015, must shall contain ~~such~~ covenants and restrictions  
4326 ~~as are~~ sufficient to ensure that the use of such real property  
4327 at all times complies with s. 11(e), Art. VII of the State  
4328 Constitution. Each deed or lease with respect to any real  
4329 property acquired with funds received by the trust from the  
4330 Florida Forever Trust Fund after July 1, 2015, must contain  
4331 covenants and restrictions sufficient to ensure that the use of



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4332 such real property at all times complies with s. 28, Art. X of  
4333 the State Constitution. Each deed or lease must ~~shall~~ contain a  
4334 reversion, conveyance, or termination clause that vests will  
4335 ~~vest~~ title in the Board of Trustees of the Internal Improvement  
4336 Trust Fund if any of the covenants or restrictions are violated  
4337 by the titleholder or leaseholder or by some third party with  
4338 the knowledge of the titleholder or leaseholder.

4339 Section 68. Section 380.511, Florida Statutes, is repealed.

4340 Section 69. Subsection (2) of section 403.0615, Florida  
4341 Statutes, is amended to read:

4342 403.0615 Water resources restoration and preservation.—

4343 (2) Subject to specific legislative appropriation, the  
4344 department shall establish a program to assist in the  
4345 restoration and preservation of bodies of water and to enhance  
4346 existing public access when deemed necessary for the enhancement  
4347 of the restoration effort. ~~This program shall be funded from the~~  
4348 ~~General Revenue Fund, from funds available from the Ecosystem~~  
4349 ~~Management and Restoration Trust Fund, and from available~~  
4350 ~~federal moneys.~~

4351 Section 70. Section 403.08601, Florida Statutes, is amended  
4352 to read:

4353 403.08601 Leah Schad Memorial Ocean Outfall Program.—The  
4354 Legislature declares that as funds become available the state  
4355 may assist the local governments and agencies responsible for  
4356 implementing the Leah Schad Memorial Ocean Outfall Program  
4357 pursuant to s. 403.086(9). Funds received from other sources  
4358 provided for in law, the General Appropriations Act, from gifts  
4359 designated for implementation of the plan from individuals,  
4360 corporations, or other entities, or federal funds appropriated



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4361 by Congress for implementation of the plan, may be deposited  
4362 into an account of the Water Quality Assurance Ecosystem  
4363 ~~Management and Restoration Trust Fund created pursuant to s.~~  
4364 ~~403.1651.~~

4365 Section 71. Subsection (11) of section 403.121, Florida  
4366 Statutes, is amended to read:

4367 403.121 Enforcement; procedure; remedies.—The department  
4368 shall have the following judicial and administrative remedies  
4369 available to it for violations of this chapter, as specified in  
4370 s. 403.161(1).

4371 (11) Penalties collected pursuant to this section shall be  
4372 deposited into ~~in~~ the Water Quality Assurance Ecosystem  
4373 ~~Management and Restoration Trust Fund~~ or other trust fund  
4374 designated by statute and shall be used to fund the restoration  
4375 of ecosystems, or polluted areas of the state, as defined by the  
4376 department, to their condition before pollution occurred. The  
4377 Florida Conflict Resolution Consortium may use a portion of the  
4378 fund to administer the mediation process provided in paragraph  
4379 (2) (e) and to contract with private mediators for administrative  
4380 penalty cases.

4381 Section 72. Section 403.1651, Florida Statutes, is  
4382 repealed.

4383 Section 73. Subsection (1) of section 403.885, Florida  
4384 Statutes, is amended to read:

4385 403.885 Water Projects Grant Program.—

4386 (1) The Department of Environmental Protection shall  
4387 administer a grant program to use funds ~~transferred pursuant to~~  
4388 ~~s. 212.20 to the Ecosystem Management and Restoration Trust Fund~~  
4389 ~~or other moneys as~~ appropriated by the Legislature for water





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4390 quality improvement, stormwater management, wastewater  
4391 management, and water restoration and other water projects as  
4392 specifically appropriated by the Legislature. Eligible  
4393 recipients of such grants include counties, municipalities,  
4394 water management districts, and special districts that have  
4395 legal responsibilities for water quality improvement, water  
4396 management, stormwater management, wastewater management, lake  
4397 and river water restoration projects, and drinking water  
4398 projects pursuant to this section.

4399       Section 74. Section 403.8911, Florida Statutes, is  
4400 repealed.

4401       Section 75. Subsection (6) of section 403.9325, Florida  
4402 Statutes, is amended to read:

4403       403.9325 Definitions.—For the purposes of ss. 403.9321-  
4404 403.9333, the term:

4405       (6) "Public lands set aside for conservation or  
4406 preservation" means:

4407       (a) Lands and interests acquired with funds deposited into  
4408 the Land Acquisition Trust Fund pursuant to s. 28(a), Art. X of  
4409 the State Constitution;

4410       (b)~~(a)~~ Conservation and recreation lands under chapter 259;

4411       (c)~~(b)~~ State and national parks;

4412       (d)~~(c)~~ State and national reserves and preserves, except as  
4413 provided in s. 403.9326(3);

4414       (e)~~(d)~~ State and national wilderness areas;

4415       (f)~~(e)~~ National wildlife refuges (only those lands under  
4416 Federal Government ownership);

4417       (g)~~(f)~~ Lands acquired through the former Water Management  
4418 Lands Trust Fund, Save Our Rivers Program;



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4419            (h)~~(g)~~ Lands acquired under the Save Our Coast program;  
4420            (i)~~(h)~~ Lands acquired under the environmentally endangered  
4421 lands bond program;

4422            (j)~~(i)~~ Public lands designated as conservation or  
4423 preservation under a local government comprehensive plan;

4424            (k)~~(j)~~ Lands purchased by a water management district, the  
4425 Fish and Wildlife Conservation Commission, or any other state  
4426 agency for conservation or preservation purposes;

4427            (l)~~(k)~~ Public lands encumbered by a conservation easement  
4428 that does not provide for the trimming of mangroves; and

4429            (m)~~(l)~~ Public lands designated as critical wildlife areas  
4430 by the Fish and Wildlife Conservation Commission.

4431            Section 76. Paragraph (f) of subsection (3) and subsection  
4432 (11) of section 403.93345, Florida Statutes, are amended to  
4433 read:

4434            403.93345 Coral reef protection.—

4435            (3) As used in this section, the term:

4436            (f) "Fund" means the Water Quality Assurance Ecosystem  
4437 ~~Management and Restoration~~ Trust Fund.

4438            (11) All damages recovered by or on behalf of this state  
4439 for injury to, or destruction of, the coral reefs of the state  
4440 that would otherwise be deposited in the general revenue  
4441 accounts of the State Treasury or in the Internal Improvement  
4442 Trust Fund shall be deposited into ~~in~~ the Water Quality  
4443 Assurance Ecosystem Management and Restoration Trust Fund in the  
4444 department and shall remain in such account until expended by  
4445 the department for the purposes of this section. Moneys in the  
4446 fund received from damages recovered for injury to, or  
4447 destruction of, coral reefs must be expended only for the



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4448 following purposes:

4449 (a) To provide funds to the department for reasonable costs  
4450 incurred in obtaining payment of the damages for injury to, or  
4451 destruction of, coral reefs, including administrative costs and  
4452 costs of experts and consultants. Such funds may be provided in  
4453 advance of recovery of damages.

4454 (b) To pay for restoration or rehabilitation of the injured  
4455 or destroyed coral reefs or other natural resources by a state  
4456 agency or through a contract to any qualified person.

4457 (c) To pay for alternative projects selected by the  
4458 department. Any such project shall be selected on the basis of  
4459 its anticipated benefits to the residents of this state who used  
4460 the injured or destroyed coral reefs or other natural resources  
4461 or will benefit from the alternative project.

4462 (d) All claims for trust fund reimbursements under  
4463 paragraph (a) must be made within 90 days after payment of  
4464 damages is made to the state.

4465 (e) Each private recipient of fund disbursements shall be  
4466 required to agree in advance that its accounts and records of  
4467 expenditures of such moneys are subject to audit at any time by  
4468 appropriate state officials and to submit a final written report  
4469 describing such expenditures within 90 days after the funds have  
4470 been expended.

4471 (f) When payments are made to a state agency from the fund  
4472 for expenses compensable under this subsection, such  
4473 expenditures shall be considered as being for extraordinary  
4474 expenses, and no agency appropriation shall be reduced by any  
4475 amount as a result of such reimbursement.

4476 Section 77. Subsections (5) and (6) of section 420.5092,



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4477 Florida Statutes, are amended to read:

4478 420.5092 Florida Affordable Housing Guarantee Program.—

4479 (5) Pursuant to s. 16, Art. VII of the State Constitution,  
4480 the corporation may issue, in accordance with s. 420.509,  
4481 revenue bonds of the corporation to establish the guarantee  
4482 fund. The ~~Such~~ revenue bonds are ~~shall be~~ primarily payable from  
4483 and secured by annual debt service reserves, from interest  
4484 earned on funds on deposit in the guarantee fund, from fees,  
4485 charges, and reimbursements established by the corporation for  
4486 the issuance of affordable housing guarantees, and from any  
4487 other revenue sources received by the corporation and deposited  
4488 by the corporation into the guarantee fund for the issuance of  
4489 affordable housing guarantees. If ~~To the extent~~ such primary  
4490 revenue sources are considered insufficient by the corporation,  
4491 pursuant to the certification provided in subsection (6), to  
4492 fully fund the annual debt service reserve, the certified  
4493 deficiency in such reserve is also ~~shall be~~ additionally payable  
4494 from the first proceeds of the documentary stamp tax moneys  
4495 deposited into the State Housing Trust Fund pursuant to s.  
4496 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and (10)(a)~~ during the  
4497 ensuing state fiscal year.

4498 (6) (a) If the primary revenue sources to be used for  
4499 repayment of revenue bonds used to establish the guarantee fund  
4500 are insufficient for such repayment, the annual principal and  
4501 interest due on each series of revenue bonds is ~~shall be~~ payable  
4502 from funds in the annual debt service reserve. The corporation  
4503 shall, before June 1 of each year, perform a financial audit to  
4504 determine whether at the end of the state fiscal year there will  
4505 be on deposit in the guarantee fund an annual debt service



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4506 reserve from interest earned pursuant to the investment of the  
4507 guarantee fund, fees, charges, and reimbursements received from  
4508 issued affordable housing guarantees and other revenue sources  
4509 available to the corporation. Based upon the findings in such  
4510 guarantee fund financial audit, the corporation shall certify to  
4511 the Chief Financial Officer the amount of any projected  
4512 deficiency in the annual debt service reserve for any series of  
4513 outstanding bonds as of the end of the state fiscal year and the  
4514 amount necessary to maintain such annual debt service reserve.  
4515 Upon receipt of such certification, the Chief Financial Officer  
4516 shall transfer to the annual debt service reserve, from the  
4517 first available taxes distributed to the State Housing Trust  
4518 Fund pursuant to s. 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and~~  
4519 ~~(10)(a)~~ during the ensuing state fiscal year, the amount  
4520 certified as necessary to maintain the annual debt service  
4521 reserve.

4522 (b) If the claims payment obligations under affordable  
4523 housing guarantees from amounts on deposit in the guarantee fund  
4524 would cause the claims paying rating assigned to the guarantee  
4525 fund to be less than the third-highest rating classification of  
4526 any nationally recognized rating service, which classifications  
4527 being consistent with s. 215.84(3) and rules adopted thereto by  
4528 the State Board of Administration, the corporation shall certify  
4529 to the Chief Financial Officer the amount of such claims payment  
4530 obligations. Upon receipt of such certification, the Chief  
4531 Financial Officer shall transfer to the guarantee fund, from the  
4532 first available taxes distributed to the State Housing Trust  
4533 Fund pursuant to s. 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and~~  
4534 ~~(10)(a)~~ during the ensuing state fiscal year, the amount



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4535 certified as necessary to meet such obligations, such transfer  
4536 to be subordinate to any transfer referenced in paragraph (a)  
4537 and not to exceed 50 percent of the amounts distributed to the  
4538 State Housing Trust Fund pursuant to s. 201.15(4)(c) and (d) ~~s.~~  
4539 ~~201.15(9)(a) and (10)(a)~~ during the preceding state fiscal year.

4540 Section 78. Subsections (1), (2), and (3) of section  
4541 420.9073, Florida Statutes, are amended to read:

4542 420.9073 Local housing distributions.—

4543 (1) Distributions calculated in this section shall be  
4544 disbursed on a quarterly or more frequent basis by the  
4545 corporation pursuant to s. 420.9072, subject to availability of  
4546 funds. Each county's share of the funds to be distributed from  
4547 the portion of the funds in the Local Government Housing Trust  
4548 Fund received pursuant to s. 201.15(4)(c) ~~s. 201.15(9)~~ shall be  
4549 calculated by the corporation for each fiscal year as follows:

4550 (a) Each county other than a county that has implemented  
4551 ~~the provisions of~~ chapter 83-220, Laws of Florida, as amended by  
4552 chapters 84-270, 86-152, and 89-252, Laws of Florida, shall  
4553 receive the guaranteed amount for each fiscal year.

4554 (b) Each county other than a county that has implemented  
4555 ~~the provisions of~~ chapter 83-220, Laws of Florida, as amended by  
4556 chapters 84-270, 86-152, and 89-252, Laws of Florida, may  
4557 receive an additional share calculated as follows:

4558 1. Multiply each county's percentage of the total state  
4559 population excluding the population of any county that has  
4560 implemented ~~the provisions of~~ chapter 83-220, Laws of Florida,  
4561 as amended by chapters 84-270, 86-152, and 89-252, Laws of  
4562 Florida, by the total funds to be distributed.

4563 2. If the result in subparagraph 1. is less than the



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4564 guaranteed amount as determined in subsection (3), that county's  
4565 additional share shall be zero.

4566         3. For each county in which the result in subparagraph 1.  
4567 is greater than the guaranteed amount as determined in  
4568 subsection (3), the amount calculated in subparagraph 1. shall  
4569 be reduced by the guaranteed amount. The result for each such  
4570 county shall be expressed as a percentage of the amounts so  
4571 determined for all counties. Each such county shall receive an  
4572 additional share equal to such percentage multiplied by the  
4573 total funds received by the Local Government Housing Trust Fund  
4574 pursuant to s. 201.15(4)(c) ~~s. 201.15(9)~~ reduced by the  
4575 guaranteed amount paid to all counties.

4576         (2) Distributions calculated in this section shall be  
4577 disbursed on a quarterly or more frequent basis by the  
4578 corporation pursuant to s. 420.9072, subject to availability of  
4579 funds. Each county's share of the funds to be distributed from  
4580 the portion of the funds in the Local Government Housing Trust  
4581 Fund received pursuant to s. 201.15(4)(d) ~~s. 201.15(10)~~ shall be  
4582 calculated by the corporation for each fiscal year as follows:

4583             (a) Each county shall receive the guaranteed amount for  
4584 each fiscal year.

4585             (b) Each county may receive an additional share calculated  
4586 as follows:

4587                 1. Multiply each county's percentage of the total state  
4588 population, by the total funds to be distributed.

4589                 2. If the result in subparagraph 1. is less than the  
4590 guaranteed amount as determined in subsection (3), that county's  
4591 additional share shall be zero.

4592                 3. For each county in which the result in subparagraph 1.



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4593 is greater than the guaranteed amount, the amount calculated in  
4594 subparagraph 1. shall be reduced by the guaranteed amount. The  
4595 result for each such county shall be expressed as a percentage  
4596 of the amounts so determined for all counties. Each such county  
4597 shall receive an additional share equal to this percentage  
4598 multiplied by the total funds received by the Local Government  
4599 Housing Trust Fund pursuant to s. 201.15(4) (d) ~~s. 201.15(10)~~ as  
4600 reduced by the guaranteed amount paid to all counties.

4601 (3) Calculation of guaranteed amounts:

4602 (a) The guaranteed amount under subsection (1) shall be  
4603 calculated for each state fiscal year by multiplying \$350,000 by  
4604 a fraction, the numerator of which is the amount of funds  
4605 distributed to the Local Government Housing Trust Fund pursuant  
4606 to s. 201.15(4) (c) ~~s. 201.15(9)~~ and the denominator of which is  
4607 the total amount of funds distributed to the Local Government  
4608 Housing Trust Fund pursuant to s. 201.15.

4609 (b) The guaranteed amount under subsection (2) shall be  
4610 calculated for each state fiscal year by multiplying \$350,000 by  
4611 a fraction, the numerator of which is the amount of funds  
4612 distributed to the Local Government Housing Trust Fund pursuant  
4613 to s. 201.15(4) (d) ~~s. 201.15(10)~~ and the denominator of which is  
4614 the total amount of funds distributed to the Local Government  
4615 Housing Trust Fund pursuant to s. 201.15.

4616 Section 79. Section 570.207, Florida Statutes, is repealed.

4617 Section 80. Subsection (2) of section 570.321, Florida  
4618 Statutes, is amended to read:

4619 570.321 Plant Industry Trust Fund.—

4620 (2) Funds to be credited to and uses of the trust fund  
4621 shall be administered in accordance with ss. ~~259.032~~, 581.031,





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4622 581.141, 581.211, 581.212, 586.045, 586.15, 586.16, 593.114, and  
4623 593.117.

4624 Section 81. Subsection (12) of section 570.71, Florida  
4625 Statutes, is amended to read:

4626 570.71 Conservation easements and agreements.—

4627 (12) The department may use appropriated funds from the  
4628 following sources to implement this section:

4629 (a) State funds;

4630 (b) Federal funds;

4631 (c) Other governmental entities;

4632 (d) Nongovernmental organizations; or

4633 (e) Private individuals.

4634

4635 Any such funds provided, other than from the Land Acquisition  
4636 Trust Fund, shall be deposited into the Incidental Conservation  
4637 and Recreation Lands Program Trust Fund within the Department of  
4638 Agriculture and Consumer Services and used for the purposes of  
4639 this section, including administrative and operating expenses  
4640 related to appraisals, mapping, title process, personnel, and  
4641 other real estate expenses.

4642 Section 82. Paragraph (c) of subsection (1) of section  
4643 895.09, Florida Statutes, is amended to read:

4644 895.09 Disposition of funds obtained through forfeiture  
4645 proceedings.—

4646 (1) A court entering a judgment of forfeiture in a  
4647 proceeding brought pursuant to s. 895.05 shall retain  
4648 jurisdiction to direct the distribution of any cash or of any  
4649 cash proceeds realized from the forfeiture and disposition of  
4650 the property. The court shall direct the distribution of the



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4651 funds in the following order of priority:

4652 (c) Any claim by the Board of Trustees of the Internal  
4653 Improvement Trust Fund on behalf of the Internal Improvement  
4654 Trust Fund or the ~~Land Acquisition~~ trust fund used pursuant to  
4655 s. 253.03(12), not including administrative costs of the  
4656 Department of Environmental Protection previously paid directly  
4657 from the Internal Improvement Trust Fund in accordance with  
4658 legislative appropriation.

4659 Section 83. For the purpose of incorporating the amendment  
4660 made by this act to section 201.15, Florida Statutes, in a  
4661 reference thereto, subsection (6) of section 339.2818, Florida  
4662 Statutes, is reenacted to read:

4663 339.2818 Small County Outreach Program.—

4664 (6) Funds paid into the State Transportation Trust Fund  
4665 pursuant to s. 201.15 for the purposes of the Small County  
4666 Outreach Program are hereby annually appropriated for  
4667 expenditure to support the Small County Outreach Program.

4668 Section 84. For the purpose of incorporating the amendment  
4669 made by this act to section 201.15, Florida Statutes, in a  
4670 reference thereto, subsection (5) of section 339.2819, Florida  
4671 Statutes, is reenacted to read:

4672 339.2819 Transportation Regional Incentive Program.—

4673 (5) Funds paid into the State Transportation Trust Fund  
4674 pursuant to s. 201.15 for the purposes of the Transportation  
4675 Regional Incentive Program are hereby annually appropriated for  
4676 expenditure to support that program.

4677 Section 85. For the purpose of incorporating the amendment  
4678 made by this act to section 201.15, Florida Statutes, in a  
4679 reference thereto, subsection (3) of section 339.61, Florida



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4680 Statutes, is reenacted to read:

4681 339.61 Florida Strategic Intermodal System; legislative  
4682 findings, declaration, and intent.—

4683 (3) Funds paid into the State Transportation Trust Fund  
4684 pursuant to s. 201.15 for the purposes of the Florida Strategic  
4685 Intermodal System are hereby annually appropriated for  
4686 expenditure to support that program.

4687 Section 86. For the purpose of incorporating the amendment  
4688 made by this act to section 201.15, Florida Statutes, in a  
4689 reference thereto, subsection (6) of section 341.051, Florida  
4690 Statutes, is reenacted to read:

4691 341.051 Administration and financing of public transit and  
4692 intercity bus service programs and projects.—

4693 (6) ANNUAL APPROPRIATION.—Funds paid into the State  
4694 Transportation Trust Fund pursuant to s. 201.15 for the New  
4695 Starts Transit Program are hereby annually appropriated for  
4696 expenditure to support the New Starts Transit Program.

4697  
4698 For purposes of this section, the term “net operating costs”  
4699 means all operating costs of a project less any federal funds,  
4700 fares, or other sources of income to the project.

4701 Section 87. For the purpose of incorporating the amendment  
4702 made by this act to section 201.15, Florida Statutes, in a  
4703 reference thereto, paragraph (e) of subsection (4) of section  
4704 373.470, Florida Statutes, is reenacted to read:

4705 373.470 Everglades restoration.—

4706 (4) SAVE OUR EVERGLADES TRUST FUND; FUNDS AUTHORIZED FOR  
4707 DEPOSIT.—The following funds may be deposited into the Save Our  
4708 Everglades Trust Fund created by s. 373.472 to finance



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4709 implementation of the comprehensive plan, the Lake Okeechobee  
4710 Watershed Protection Plan, the River Watershed Protection Plans,  
4711 and the Keys Wastewater Plan:

4712 (e) Funds made available pursuant to s. 201.15 for debt  
4713 service for Everglades restoration bonds.

4714 Section 88. For the purpose of incorporating the amendment  
4715 made by this act to section 201.15, Florida Statutes, in a  
4716 reference thereto, subsection (1) of section 420.9079, Florida  
4717 Statutes, is reenacted to read:

4718 420.9079 Local Government Housing Trust Fund.—

4719 (1) There is created in the State Treasury the Local  
4720 Government Housing Trust Fund, which shall be administered by  
4721 the corporation on behalf of the department according to the  
4722 provisions of ss. 420.907-420.9076 and this section. There shall  
4723 be deposited into the fund a portion of the documentary stamp  
4724 tax revenues as provided in s. 201.15, moneys received from any  
4725 other source for the purposes of ss. 420.907-420.9076 and this  
4726 section, and all proceeds derived from the investment of such  
4727 moneys. Moneys in the fund that are not currently needed for the  
4728 purposes of the programs administered pursuant to ss. 420.907-  
4729 420.9076 and this section shall be deposited to the credit of  
4730 the fund and may be invested as provided by law. The interest  
4731 received on any such investment shall be credited to the fund.

4732 Section 89. For the purpose of incorporating the amendment  
4733 made by this act to section 375.041, Florida Statutes, in a  
4734 reference thereto, paragraph (b) of subsection (3) of section  
4735 258.015, Florida Statutes, is reenacted to read:

4736 258.015 Citizen support organizations; use of property;  
4737 audit.—



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4738 (3) PARTNERSHIPS IN PARKS.-  
4739 (b) The Legislature may annually appropriate funds from the  
4740 Land Acquisition Trust Fund for use only as state matching  
4741 funds, in conjunction with private donations in aggregates of at  
4742 least \$60,000 matched by \$40,000 of state funds for a total  
4743 minimum project amount of \$100,000 for capital improvement  
4744 facility development at state parks, at either individually  
4745 designated parks or for priority projects within the overall  
4746 state park system. Not more than 30 percent of the Land  
4747 Acquisition Trust Fund unencumbered fund balance or \$3 million,  
4748 whichever is less, shall be reserved, available annually for  
4749 matching private donations. The amount held in reserve for the  
4750 state match will be no greater than \$6 million for any fiscal  
4751 year. State funds from the Land Acquisition Trust Fund or other  
4752 appropriate funding sources shall be used for matching private  
4753 donations for 40 percent of the projects' costs. Funds held in  
4754 reserve for the purposes of this subsection shall be available  
4755 only after the requirements of s. 375.041(3) are met. Citizen  
4756 support organizations organized and operating for the benefit of  
4757 state parks may acquire private donations pursuant to this  
4758 section, and matching state funds for approved projects may be  
4759 provided in accordance with this subsection. The department is  
4760 authorized to properly recognize and honor a private donor by  
4761 placing a plaque or other appropriate designation noting the  
4762 contribution on project facilities or by naming project  
4763 facilities after the person or organization that provided  
4764 matching funds. The department is authorized to adopt necessary  
4765 administrative rules to carry out the purposes of this  
4766 subsection.



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4767 Section 90. For the purpose of incorporating the amendment  
4768 made by this act to section 376.307, Florida Statutes, in a  
4769 reference thereto, subsection (2) of section 287.0595, Florida  
4770 Statutes, is reenacted to read:

4771 287.0595 Pollution response action contracts; department  
4772 rules.-

4773 (2) In adopting rules under this section, the Department of  
4774 Environmental Protection shall follow the criteria applicable to  
4775 the department's contracting to the maximum extent possible,  
4776 consistent with the goals and purposes of ss. 376.307 and  
4777 376.3071.

4778 Section 91. Except as otherwise expressly provided in this  
4779 act and except for this section, which shall take effect upon  
4780 this act becoming law, this act shall take effect July 1, 2015.

4781  
4782 ===== T I T L E A M E N D M E N T =====

4783 And the title is amended as follows:

4784 Delete everything before the enacting clause  
4785 and insert:

4786 A bill to be entitled  
4787 An act relating to the implementation of the water and  
4788 land conservation constitutional amendment;  
4789 terminating certain trust funds within the Department  
4790 of Environmental Protection, the Department of  
4791 Agriculture and Consumer Services, and the Fish and  
4792 Wildlife Conservation Commission; providing for the  
4793 disposition of balances in the trust funds; requiring  
4794 the Department of Environmental Protection to pay all  
4795 outstanding debts or obligations of the terminated



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4796 trust funds; requiring the Chief Financial Officer to  
4797 close out and remove the terminated trust funds from  
4798 the various state accounting systems; amending s.  
4799 17.61, F.S.; requiring moneys in land acquisition  
4800 trust funds created or designated to receive funds  
4801 under s. 28, Art. X of the State Constitution to be  
4802 retained in those trust funds; repealing s. 161.05301,  
4803 F.S., relating to beach erosion control project  
4804 staffing; amending s. 161.054, F.S.; redirecting  
4805 certain proceeds from the Ecosystem Management and  
4806 Restoration Trust Fund to the Florida Coastal  
4807 Protection Trust Fund; amending s. 161.091, F.S.;  
4808 authorizing disbursements from the Land Acquisition  
4809 Trust Fund for the beach management plan; amending s.  
4810 201.0205, F.S.; conforming provisions to changes made  
4811 by the act; amending s. 201.15, F.S.; revising and  
4812 deleting distributions of the tax; providing that  
4813 specified distributions to the Land Acquisition Trust  
4814 Fund are not subject to the service charge under s.  
4815 215.20, F.S.; revising the purposes for which  
4816 distributions may be used; amending s. 211.3103, F.S.;  
4817 authorizing a percentage of proceeds from the  
4818 phosphate rock excise tax to be credited to the State  
4819 Park Trust Fund; amending s. 215.20, F.S.; conforming  
4820 provisions to changes made by the act; amending s.  
4821 215.618, F.S.; authorizing Florida Forever bonds to be  
4822 issued to finance or refinance the acquisition and  
4823 improvement of land, water areas, and related property  
4824 interests; amending ss. 215.619, 253.027, and 253.03,



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4825 F.S.; conforming provisions to changes made by the  
4826 act; amending s. 253.034, F.S.; requiring proceeds  
4827 from the sale of surplus conservation lands before a  
4828 certain date to be deposited into the Florida Forever  
4829 Trust Fund and after such date under certain  
4830 circumstances into the Land Acquisition Trust Fund;  
4831 prohibiting more than a certain amount of funds to be  
4832 expended from the Land Acquisition Trust Fund for  
4833 funding a certain contractual arrangement; amending s.  
4834 253.7824, F.S.; conforming provisions to changes made  
4835 by the act; amending s. 258.435, F.S.; requiring  
4836 moneys received in trust by the Department of  
4837 Environmental Protection relating to aquatic preserves  
4838 to be deposited into the Grants and Donations Trust  
4839 Fund; amending s. 259.032, F.S.; conforming provisions  
4840 affected by the termination of the Conservation and  
4841 Recreation Lands Trust Fund; authorizing state  
4842 agencies designated to manage lands acquired with  
4843 funds deposited into the Land Acquisition Trust Fund  
4844 to contract with local governments and soil and water  
4845 conservation districts to assist in management  
4846 activities; amending s. 259.035, F.S.; requiring the  
4847 Acquisition and Restoration Council to develop rules  
4848 defining specific criteria and numeric performance  
4849 measures needed for lands acquired with funds  
4850 deposited into the Land Acquisition Trust Fund  
4851 pursuant to s. 28(a), Art. X of the State  
4852 Constitution; requiring the proposed rules to be  
4853 submitted to the Legislature for consideration;





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4854 requiring recipients of funds from the Land  
4855 Acquisition Trust Fund to annually report to the  
4856 Division of State Lands; requiring the council to  
4857 consider and evaluate in writing each project proposed  
4858 for acquisition using such funds and ensure that each  
4859 proposed project meets the requirements of s. 28, Art.  
4860 X of the State Constitution; amending ss. 259.036,  
4861 259.037, 259.04, and 259.041, F.S.; conforming cross-  
4862 references; amending s. 259.101, F.S.; conforming  
4863 provisions affected by the termination of the  
4864 Preservation 2000 Trust Fund; requiring agencies and  
4865 water management districts that acquired lands using  
4866 Preservation 2000 funds to make them available for  
4867 public recreational use; requiring water management  
4868 districts and the department to control the growth of  
4869 nonnative invasive plant species on certain lands;  
4870 amending s. 259.105, F.S.; deleting obsolete  
4871 provisions; conforming cross-references; prohibiting  
4872 more than a certain amount of funds to be expended  
4873 from the Land Acquisition Trust Fund for funding a  
4874 certain contractual arrangement; amending s. 259.1051,  
4875 F.S.; conforming cross-references; amending ss.  
4876 338.250, 339.0801, 339.55, 341.303, 343.58, 369.252,  
4877 373.026, and 373.089, F.S.; conforming provisions to  
4878 changes made by the act; amending s. 373.129, F.S.;  
4879 requiring certain civil penalties to be deposited into  
4880 the Water Quality Assurance Trust Fund; amending ss.  
4881 373.1391 and 373.199, F.S.; conforming provisions to  
4882 changes made by the act; amending s. 373.430, F.S.;



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4883 requiring certain moneys to be deposited into the  
4884 Florida Permit Fee Trust Fund rather than the  
4885 Ecosystem Management and Restoration Trust Fund;  
4886 amending ss. 373.459, 373.4592, 373.45926, 373.470,  
4887 and 373.584, F.S.; conforming provisions to changes  
4888 made by the act; amending s. 373.59, F.S.; conforming  
4889 provisions affected by the termination of the Water  
4890 Management Lands Trust Fund; amending s. 373.5905,  
4891 F.S.; conforming a cross-reference; amending ss.  
4892 373.703 and 375.031, F.S.; conforming provisions to  
4893 changes made by the act; amending s. 375.041, F.S.;  
4894 designating the Land Acquisition Trust Fund within the  
4895 Department of Environmental Protection for receipt of  
4896 certain documentary stamp tax revenues for the  
4897 prescribed uses of s. 28, Art. X of the State  
4898 Constitution; providing priority for the use of moneys  
4899 in the trust fund; requiring agencies receiving  
4900 transfers of moneys from the fund to maintain the  
4901 integrity of such funds; amending s. 375.044, F.S.;  
4902 conforming provisions to changes made by the act;  
4903 repealing s. 375.045, F.S., relating to the Florida  
4904 Preservation 2000 Trust Fund; amending s. 375.075,  
4905 F.S.; conforming provisions to changes made by the  
4906 act; amending s. 376.11, F.S.; revising the funds  
4907 required to be deposited into the Florida Coastal  
4908 Protection Trust Fund and the purposes for which such  
4909 funds may be used; amending s. 376.123, F.S.;  
4910 conforming a cross-reference; amending s. 376.307,  
4911 F.S.; revising the funds required to be deposited into



4912 the Water Quality Assurance Trust Fund and the  
4913 purposes for which such funds may be used; amending s.  
4914 376.40, F.S.; conforming a cross-reference; repealing  
4915 s. 379.202, F.S., relating to the Conservation and  
4916 Recreation Lands Program Trust Fund of the Fish and  
4917 Wildlife Conservation Commission; amending s. 379.206,  
4918 F.S.; requiring grants and donations from development-  
4919 of-regional-impact wildlife mitigation contributions  
4920 to be credited to the Grants and Donations Trust Fund;  
4921 amending s. 379.212, F.S.; providing that the Land  
4922 Acquisition Trust Fund within the Fish and Wildlife  
4923 Conservation Commission shall be used to implement s.  
4924 28, Art. X of the State Constitution; authorizing the  
4925 department to transfer certain funds; requiring the  
4926 commission to maintain the integrity of such funds;  
4927 providing for the transfer of certain funds; amending  
4928 s. 379.214, F.S.; conforming provisions to changes  
4929 made by the act; amending s. 379.362, F.S.; requiring  
4930 the Department of Agriculture and Consumer Services to  
4931 use funds appropriated from the Land Acquisition Fund  
4932 within the Department of Environmental Protection to  
4933 fund certain oyster management and restoration  
4934 programs; amending s. 380.0666, F.S.; conforming  
4935 provisions to changes made by the act; repealing s.  
4936 380.0677, F.S., relating to the Green Swamp Land  
4937 Authority; amending s. 380.507, F.S.; conforming  
4938 provisions to changes made by the act; amending s.  
4939 380.508, F.S.; requiring certain funds to be credited  
4940 to or deposited into the Internal Improvement Trust



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4941 Fund; requiring funds over and above eligible project  
4942 costs to be deposited into the Florida Forever Trust  
4943 Fund rather than the Florida Communities Trust Fund;  
4944 amending s. 380.510, F.S.; requiring certain funds  
4945 collected under a grant or loan agreement to be  
4946 deposited into the Internal Improvement Trust Fund  
4947 rather than the Florida Communities Trust Fund;  
4948 requiring the deed or lease of any real property  
4949 acquired with certain funds to contain covenants and  
4950 restrictions sufficient to ensure that the use of such  
4951 real property complies with s. 28, Art. X of the State  
4952 Constitution; repealing s. 380.511, F.S., relating to  
4953 the Florida Communities Trust Fund; amending s.  
4954 403.0615, F.S.; conforming provisions to changes made  
4955 by the act; amending ss. 403.08601 and 403.121, F.S.;  
4956 requiring certain funds to be deposited into the Water  
4957 Quality Assurance Trust Fund rather than the Ecosystem  
4958 Management and Restoration Trust Fund; repealing s.  
4959 403.1651, F.S., relating to the Ecosystem Management  
4960 and Restoration Trust Fund; amending s. 403.885, F.S.;  
4961 conforming provisions to changes made by the act;  
4962 repealing s. 403.8911, F.S., relating to the annual  
4963 appropriation from the Water Protection and  
4964 Sustainability Program Trust Fund; amending s.  
4965 403.9325, F.S.; redefining the term "public lands set  
4966 aside for conservation or preservation" to include  
4967 lands and interests acquired with funds deposited into  
4968 the Land Acquisition Trust Fund; amending s.  
4969 403.93345, F.S.; redefining the term "fund" to mean



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4970 the Water Quality Assurance Trust Fund; requiring  
4971 certain funds to be deposited into the Water Quality  
4972 Assurance Trust Fund rather than the Ecosystem  
4973 Management and Restoration Trust Fund; amending ss.  
4974 420.5092 and 420.9073, F.S.; conforming provisions to  
4975 changes made by the act; repealing s. 570.207, F.S.,  
4976 relating to the Conservation and Recreation Lands  
4977 Program Trust Fund of the Department of Agriculture  
4978 and Consumer Services; amending s. 570.321, F.S.;  
4979 conforming provisions to changes made by the act;  
4980 amending s. 570.71, F.S.; excluding funds from the  
4981 Land Acquisition Trust Fund from being deposited into  
4982 the Incidental Trust Fund under certain circumstances;  
4983 amending s. 895.09, F.S.; conforming provisions to  
4984 changes made by the act; making technical changes;  
4985 reenacting ss. 339.2818(6), F.S., relating to the  
4986 Small County Outreach Program, s. 339.2819(5), F.S.,  
4987 relating to the Transportation Regional Incentive  
4988 Program, s. 339.61(3), F.S., relating to the Florida  
4989 Strategic Intermodal System, s. 341.051(6), F.S.,  
4990 relating to the New Starts Transit Program, s.  
4991 373.470(4)(e), F.S., relating to debt service for  
4992 Everglades restoration bonds, and s. 420.9079(1),  
4993 F.S., relating to the Local Government Housing Trust  
4994 Fund, to incorporate the amendment made by this act to  
4995 s. 201.15, F.S., in references thereto; reenacting s.  
4996 258.015(3)(b), F.S., relating to funds available to  
4997 citizen support organizations, to incorporate the  
4998 amendment made by this act to s. 375.041, F.S., in a



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4999 reference thereto; reenacting s. 287.0595(2), F.S.,  
5000 relating to Department of Environmental Protection's  
5001 authority to adopt certain pollution response rules,  
5002 to incorporate the amendment made by this act to s.  
5003 376.307, F.S., in a reference thereto; providing  
5004 effective dates.