

By the Committee on Appropriations; and Senator Dean

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1 A bill to be entitled
2 An act relating to the implementation of the water and
3 land conservation constitutional amendment;
4 terminating certain trust funds within the Department
5 of Environmental Protection, the Department of
6 Agriculture and Consumer Services, and the Fish and
7 Wildlife Conservation Commission; providing for the
8 disposition of balances in the trust funds; requiring
9 the Department of Environmental Protection to pay all
10 outstanding debts or obligations of the terminated
11 trust funds; requiring the Chief Financial Officer to
12 close out and remove the terminated trust funds from
13 the various state accounting systems; amending s.
14 17.61, F.S.; requiring moneys in land acquisition
15 trust funds created or designated to receive funds
16 under s. 28, Art. X of the State Constitution to be
17 retained in those trust funds; repealing s. 161.05301,
18 F.S., relating to beach erosion control project
19 staffing; amending s. 161.054, F.S.; redirecting
20 certain proceeds from the Ecosystem Management and
21 Restoration Trust Fund to the Florida Coastal
22 Protection Trust Fund; amending s. 161.091, F.S.;
23 authorizing disbursements from the Land Acquisition
24 Trust Fund for the beach management plan; amending s.
25 201.0205, F.S.; conforming provisions to changes made
26 by the act; amending s. 201.15, F.S.; revising and
27 deleting distributions of the tax; providing that
28 specified distributions to the Land Acquisition Trust
29 Fund are not subject to the service charge under s.

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30 215.20, F.S.; revising the purposes for which
31 distributions may be used; amending s. 211.3103, F.S.;
32 authorizing a percentage of proceeds from the
33 phosphate rock excise tax to be credited to the State
34 Park Trust Fund; amending s. 215.20, F.S.; conforming
35 provisions to changes made by the act; amending s.
36 215.618, F.S.; authorizing Florida Forever bonds to be
37 issued to finance or refinance the acquisition and
38 improvement of land, water areas, and related property
39 interests; amending ss. 215.619, 253.027, and 253.03,
40 F.S.; conforming provisions to changes made by the
41 act; amending s. 253.034, F.S.; requiring proceeds
42 from the sale of surplus conservation lands before a
43 certain date to be deposited into the Florida Forever
44 Trust Fund and after such date under certain
45 circumstances into the Land Acquisition Trust Fund;
46 prohibiting more than a certain amount of funds to be
47 expended from the Land Acquisition Trust Fund for
48 funding a certain contractual arrangement; amending s.
49 253.7824, F.S.; conforming provisions to changes made
50 by the act; amending s. 258.435, F.S.; requiring
51 moneys received in trust by the Department of
52 Environmental Protection relating to aquatic preserves
53 to be deposited into the Grants and Donations Trust
54 Fund; amending s. 259.032, F.S.; conforming provisions
55 affected by the termination of the Conservation and
56 Recreation Lands Trust Fund; authorizing state
57 agencies designated to manage lands acquired with
58 funds deposited into the Land Acquisition Trust Fund

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59 to contract with local governments and soil and water
60 conservation districts to assist in management
61 activities; amending s. 259.035, F.S.; requiring the
62 Acquisition and Restoration Council to develop rules
63 defining specific criteria and numeric performance
64 measures needed for lands acquired with funds
65 deposited into the Land Acquisition Trust Fund
66 pursuant to s. 28(a), Art. X of the State
67 Constitution; requiring the proposed rules to be
68 submitted to the Legislature for consideration;
69 requiring recipients of funds from the Land
70 Acquisition Trust Fund to annually report to the
71 Division of State Lands; requiring the council to
72 consider and evaluate in writing each project proposed
73 for acquisition using such funds and ensure that each
74 proposed project meets the requirements of s. 28, Art.
75 X of the State Constitution; amending ss. 259.036,
76 259.037, 259.04, and 259.041, F.S.; conforming cross-
77 references; amending s. 259.101, F.S.; conforming
78 provisions affected by the termination of the
79 Preservation 2000 Trust Fund; requiring agencies and
80 water management districts that acquired lands using
81 Preservation 2000 funds to make them available for
82 public recreational use; requiring water management
83 districts and the department to control the growth of
84 nonnative invasive plant species on certain lands;
85 amending s. 259.105, F.S.; deleting obsolete
86 provisions; conforming cross-references; prohibiting
87 more than a certain amount of funds to be expended

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88 from the Land Acquisition Trust Fund for funding a
89 certain contractual arrangement; amending s. 259.1051,
90 F.S.; conforming cross-references; amending ss.
91 338.250, 339.0801, 339.55, 341.303, 343.58, 369.252,
92 373.026, and 373.089, F.S.; conforming provisions to
93 changes made by the act; amending s. 373.129, F.S.;
94 requiring certain civil penalties to be deposited into
95 the Water Quality Assurance Trust Fund; amending ss.
96 373.1391 and 373.199, F.S.; conforming provisions to
97 changes made by the act; amending s. 373.430, F.S.;
98 requiring certain moneys to be deposited into the
99 Florida Permit Fee Trust Fund rather than the
100 Ecosystem Management and Restoration Trust Fund;
101 amending ss. 373.459, 373.4592, 373.45926, 373.470,
102 and 373.584, F.S.; conforming provisions to changes
103 made by the act; amending s. 373.59, F.S.; conforming
104 provisions affected by the termination of the Water
105 Management Lands Trust Fund; amending s. 373.5905,
106 F.S.; conforming a cross-reference; amending ss.
107 373.703 and 375.031, F.S.; conforming provisions to
108 changes made by the act; amending s. 375.041, F.S.;
109 designating the Land Acquisition Trust Fund within the
110 Department of Environmental Protection for receipt of
111 certain documentary stamp tax revenues for the
112 prescribed uses of s. 28, Art. X of the State
113 Constitution; providing priority for the use of moneys
114 in the trust fund; requiring agencies receiving
115 transfers of moneys from the fund to maintain the
116 integrity of such funds; amending s. 375.044, F.S.;

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117 conforming provisions to changes made by the act;
118 repealing s. 375.045, F.S., relating to the Florida
119 Preservation 2000 Trust Fund; amending s. 375.075,
120 F.S.; conforming provisions to changes made by the
121 act; amending s. 376.11, F.S.; revising the funds
122 required to be deposited into the Florida Coastal
123 Protection Trust Fund and the purposes for which such
124 funds may be used; amending s. 376.123, F.S.;

125 conforming a cross-reference; amending s. 376.307,
126 F.S.; revising the funds required to be deposited into
127 the Water Quality Assurance Trust Fund and the
128 purposes for which such funds may be used; amending s.
129 376.40, F.S.; conforming a cross-reference; repealing
130 s. 379.202, F.S., relating to the Conservation and
131 Recreation Lands Program Trust Fund of the Fish and
132 Wildlife Conservation Commission; amending s. 379.206,
133 F.S.; requiring grants and donations from development-
134 of-regional-impact wildlife mitigation contributions
135 to be credited to the Grants and Donations Trust Fund;
136 amending s. 379.212, F.S.; providing that the Land
137 Acquisition Trust Fund within the Fish and Wildlife
138 Conservation Commission shall be used to implement s.
139 28, Art. X of the State Constitution; authorizing the
140 department to transfer certain funds; requiring the
141 commission to maintain the integrity of such funds;
142 providing for the transfer of certain funds; amending
143 s. 379.214, F.S.; conforming provisions to changes
144 made by the act; amending s. 379.362, F.S.; requiring
145 the Department of Agriculture and Consumer Services to

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146 use funds appropriated from the Land Acquisition Fund
147 within the Department of Environmental Protection to
148 fund certain oyster management and restoration
149 programs; amending s. 380.0666, F.S.; conforming
150 provisions to changes made by the act; repealing s.
151 380.0677, F.S., relating to the Green Swamp Land
152 Authority; amending s. 380.507, F.S.; conforming
153 provisions to changes made by the act; amending s.
154 380.508, F.S.; requiring certain funds to be credited
155 to or deposited into the Internal Improvement Trust
156 Fund; requiring funds over and above eligible project
157 costs to be deposited into the Florida Forever Trust
158 Fund rather than the Florida Communities Trust Fund;
159 amending s. 380.510, F.S.; requiring certain funds
160 collected under a grant or loan agreement to be
161 deposited into the Internal Improvement Trust Fund
162 rather than the Florida Communities Trust Fund;
163 requiring the deed or lease of any real property
164 acquired with certain funds to contain covenants and
165 restrictions sufficient to ensure that the use of such
166 real property complies with s. 28, Art. X of the State
167 Constitution; repealing s. 380.511, F.S., relating to
168 the Florida Communities Trust Fund; amending s.
169 403.0615, F.S.; conforming provisions to changes made
170 by the act; amending ss. 403.08601 and 403.121, F.S.;
171 requiring certain funds to be deposited into the Water
172 Quality Assurance Trust Fund rather than the Ecosystem
173 Management and Restoration Trust Fund; repealing s.
174 403.1651, F.S., relating to the Ecosystem Management

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175 and Restoration Trust Fund; amending s. 403.885, F.S.;

176 conforming provisions to changes made by the act;

177 repealing s. 403.8911, F.S., relating to the annual

178 appropriation from the Water Protection and

179 Sustainability Program Trust Fund; amending s.

180 403.9325, F.S.; redefining the term "public lands set

181 aside for conservation or preservation" to include

182 lands and interests acquired with funds deposited into

183 the Land Acquisition Trust Fund; amending s.

184 403.93345, F.S.; redefining the term "fund" to mean

185 the Water Quality Assurance Trust Fund; requiring

186 certain funds to be deposited into the Water Quality

187 Assurance Trust Fund rather than the Ecosystem

188 Management and Restoration Trust Fund; amending ss.

189 420.5092 and 420.9073, F.S.; conforming provisions to

190 changes made by the act; repealing s. 570.207, F.S.,

191 relating to the Conservation and Recreation Lands

192 Program Trust Fund of the Department of Agriculture

193 and Consumer Services; amending s. 570.321, F.S.;

194 conforming provisions to changes made by the act;

195 amending s. 570.71, F.S.; excluding funds from the

196 Land Acquisition Trust Fund from being deposited into

197 the Incidental Trust Fund under certain circumstances;

198 amending s. 895.09, F.S.; conforming provisions to

199 changes made by the act; making technical changes;

200 reenacting s. 339.2818(6), F.S., relating to the Small

201 County Outreach Program, s. 339.2819(5), F.S.,

202 relating to the Transportation Regional Incentive

203 Program, s. 339.61(3), F.S., relating to the Florida

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204 Strategic Intermodal System, s. 341.051(6), F.S.,
205 relating to the New Starts Transit Program, s.
206 373.470(4)(e), F.S., relating to debt service for
207 Everglades restoration bonds, and s. 420.9079(1),
208 F.S., relating to the Local Government Housing Trust
209 Fund, to incorporate the amendment made by this act to
210 s. 201.15, F.S., in references thereto; reenacting s.
211 258.015(3)(b), F.S., relating to funds available to
212 citizen support organizations, to incorporate the
213 amendment made by this act to s. 375.041, F.S., in a
214 reference thereto; reenacting s. 287.0595(2), F.S.,
215 relating to Department of Environmental Protection's
216 authority to adopt certain pollution response rules,
217 to incorporate the amendment made by this act to s.
218 376.307, F.S., in a reference thereto; providing
219 effective dates.

220

221 Be It Enacted by the Legislature of the State of Florida:

222

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

225 (a) The Florida Preservation 2000 Trust Fund, FLAIR number
226 37-2-332.

227 (b) The Florida Communities Trust Fund, FLAIR number 37-2-
228 244.

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

231 (d) The Water Management Lands Trust Fund, FLAIR number 37-
232 2-776.

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

235 (2) (a) All current balances remaining in the Florida
236 Communities Trust Fund and the Florida Preservation 2000 Trust
237 Fund shall be transferred to the Florida Forever Trust Fund,
238 FLAIR number 37-2-348.

239 (b) All current balances remaining in the Ecosystem
240 Management and Restoration Trust Fund, the Water Management
241 Lands Trust Fund, and the Conservation and Recreation Lands
242 Trust Fund shall be transferred to the Water Quality Assurance
243 Trust Fund, FLAIR number 37-2-780.

244 (3) The Department of Environmental Protection shall pay
245 all outstanding debts or obligations of the terminated trust
246 funds as required, and the Chief Financial Officer shall close
247 out and remove the terminated trust funds from the various state
248 accounting systems using generally accepted accounting
249 principles concerning warrants outstanding, assets, and
250 liabilities.

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

254 (2) The Department of Agriculture and Consumer Services
255 shall pay any outstanding debts or obligations of the terminated
256 trust fund as soon as practicable, and the Chief Financial
257 Officer shall close out and remove that terminated trust fund
258 from the various state accounting systems using generally
259 accepted accounting principles concerning warrants outstanding,
260 assets, and liabilities.

261 Section 3. (1) The Conservation and Recreation Lands

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262 Program Trust Fund, FLAIR number 72-2-931, within the Fish and
263 Wildlife Conservation Commission is terminated.

264 (2) The Fish and Wildlife Conservation Commission shall pay
265 any outstanding debts or obligations of the terminated trust
266 fund as soon as practicable, and the Chief Financial Officer
267 shall close out and remove that terminated trust fund from the
268 various state accounting systems using generally accepted
269 accounting principles concerning warrants outstanding, assets,
270 and liabilities.

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

273 17.61 Chief Financial Officer; powers and duties in the
274 investment of certain funds.—

275 (3)

276 (e) Moneys in any land acquisition trust fund created or
277 designated to receive funds under s. 28, Art. X of the State
278 Constitution may not be invested as provided in this section,
279 but shall be retained in those trust funds, with the interest
280 appropriated to the General Revenue Fund, as provided in s.
281 17.57.

282 Section 5. Section 161.05301, Florida Statutes, is
283 repealed.

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

286 161.054 Administrative fines; liability for damage; liens.—

287 (3) The imposition of a fine or an award of damages
288 pursuant to this section shall create a lien upon the real and
289 personal property of the violator, enforceable by the department
290 as are statutory liens under chapter 85. The proceeds of such

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291 fines and awards of damages shall be deposited in the Florida
292 Coastal Protection Ecosystem Management and Restoration Trust
293 Fund.

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

296 161.091 Beach management; funding; repair and maintenance
297 strategy.—

298 (1) Subject to such appropriations as the Legislature may
299 make therefor from time to time, disbursements from the Land
300 Acquisition Ecosystem Management and Restoration Trust Fund may
301 be made by the department in order to carry out the proper state
302 responsibilities in a comprehensive, long-range, statewide beach
303 management plan for erosion control; beach preservation,
304 restoration, and nourishment; and storm and hurricane protection
305 and other activities authorized for beaches and shores pursuant
306 to s. 28, Art. X of the State Constitution. Legislative intent
307 in appropriating such funds is for the implementation of those
308 projects that contribute most significantly to addressing the
309 state's beach erosion problems.

310 (3) In accordance with the intent expressed in s. 161.088
311 and the legislative finding that erosion of the beaches of this
312 state is detrimental to tourism, the state's major industry,
313 further exposes the state's highly developed coastline to severe
314 storm damage, and threatens beach-related jobs, which, if not
315 stopped, may significantly reduce state sales tax revenues,
316 funds deposited into the State Treasury to the credit of the
317 Land Acquisition Ecosystem Management and Restoration Trust
318 Fund, ~~in the annual amounts provided in s. 201.15,~~ shall be
319 used, ~~for a period of not less than 15 years,~~ to fund the

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320 development, implementation, and administration of the state's
321 beach management plan, as provided in ss. 161.091-161.212 and as
322 authorized in s. 28, Art. X of the State Constitution, ~~prior to~~
323 ~~the use of such funds deposited pursuant to s. 201.15 in that~~
324 ~~trust fund for any other purpose.~~

325 Section 8. Section 201.0205, Florida Statutes, is amended
326 to read:

327 201.0205 Counties that have implemented ch. 83-220;
328 inapplicability of 10-cent tax increase by s. 2, ch. 92-317,
329 Laws of Florida.—The 10-cent tax increase in the documentary
330 stamp tax levied by s. 2, chapter 92-317, does not apply to
331 deeds and other taxable instruments relating to real property
332 located in any county that has implemented the provisions of
333 chapter 83-220, Laws of Florida, as amended by chapters 84-270,
334 86-152, and 89-252, Laws of Florida. Each such county and each
335 eligible jurisdiction within such county may ~~shall not be~~
336 ~~eligible to~~ participate in programs funded pursuant to s.
337 201.15(4)(c) ~~s. 201.15(9)~~. However, each such county and each
338 eligible jurisdiction within such county may ~~shall be eligible~~
339 ~~to~~ participate in programs funded pursuant to s. 201.15(4)(d) ~~s.~~
340 ~~201.15(10)~~.

341 Section 9. Section 201.15, Florida Statutes, is amended to
342 read:

343 201.15 Distribution of taxes collected.—All taxes collected
344 under this chapter, except taxes distributed to the Land
345 Acquisition Trust Fund pursuant to subsections (1) and (2), are
346 subject to the service charge imposed in s. 215.20(1). Before
347 distribution pursuant to ~~under~~ this section, the Department of
348 Revenue shall deduct amounts necessary to pay the costs of the

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349 collection and enforcement of the tax levied by this chapter.
350 ~~The~~ Such costs and ~~the~~ service charge may not be levied against
351 any portion of taxes pledged to debt service on bonds to the
352 extent that the costs and service charge are required to pay any
353 amounts relating to the bonds. ~~After distributions are made~~
354 ~~pursuant to subsection (1),~~ All of the costs of the collection
355 and enforcement of the tax levied by this chapter and the
356 service charge shall be available and transferred to the extent
357 necessary to pay debt service and any other amounts payable with
358 respect to bonds authorized before January 1, 2015, secured by
359 revenues distributed pursuant to this section ~~subsection (1)~~.
360 All taxes remaining after deduction of costs ~~and the service~~
361 ~~charge~~ shall be distributed as follows:

362 (1) All of the remaining taxes collected under this chapter
363 are pledged and shall be first made available to make payments
364 on bonds issued pursuant to s. 215.618 or s. 215.619, as
365 provided under paragraphs (3) (a) and (b), or on any other bonds
366 authorized to be issued on a parity basis with such bonds.
367 Amounts necessary to make such payments shall be deposited in
368 the Land Acquisition Trust Fund.

369 (2) If the amounts deposited pursuant to subsection (1) are
370 less than 33 percent of all taxes collected after first
371 deducting the costs of collection, an amount equal to 33 percent
372 of all taxes collected after first deducting the costs of
373 collection, minus the amounts deposited pursuant to subsection
374 (1), shall be deposited in the Land Acquisition Trust Fund.

375 (3) Amounts on deposit in the Land Acquisition Trust Fund
376 ~~Sixty-three and thirty-one hundredths percent of the remaining~~
377 ~~taxes~~ shall be used in for the following order ~~purposes~~:

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378 (a) Payment of ~~Amounts necessary to pay the debt service~~
379 ~~on,~~ or funding of ~~fund~~ debt service reserve funds, rebate
380 obligations, or other amounts payable with respect to
381 ~~Preservation 2000 bonds issued pursuant to s. 375.051 and~~
382 Florida Forever bonds issued pursuant to s. 215.618, ~~shall be~~
383 ~~paid into the State Treasury to the credit of the Land~~
384 ~~Acquisition Trust Fund to be used for such purposes.~~ The amount
385 used for such purposes ~~transferred to the Land Acquisition Trust~~
386 ~~Fund may not exceed \$300 million in each fiscal year 1999-2000~~
387 ~~and thereafter for Preservation 2000 bonds and bonds issued to~~
388 ~~refund Preservation 2000 bonds, and \$300 million in fiscal year~~
389 ~~2000-2001 and thereafter for Florida Forever bonds.~~ The annual
390 amount transferred to the Land Acquisition Trust Fund for
391 Florida Forever bonds may not exceed \$30 million in the first
392 fiscal year in which bonds are issued. The limitation on the
393 amount transferred shall be increased by an additional \$30
394 million in each subsequent fiscal year, but may not exceed a
395 total of \$300 million in any fiscal year for all bonds issued.
396 It is the intent of the Legislature that all bonds issued to
397 fund the Florida Forever Act be retired by December 31, 2040.
398 Except for bonds issued to refund previously issued bonds, no
399 series of bonds may be issued pursuant to this paragraph unless
400 such bonds are approved and the debt service for the remainder
401 of the fiscal year in which the bonds are issued is specifically
402 appropriated in the General Appropriations Act. ~~For purposes of~~
403 ~~refunding Preservation 2000 bonds, amounts designated within~~
404 ~~this section for Preservation 2000 and Florida Forever bonds may~~
405 ~~be transferred between the two programs to the extent provided~~
406 ~~for in the documents authorizing the issuance of the bonds. The~~

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407 ~~Preservation 2000 bonds and Florida Forever bonds are equally~~
 408 ~~and ratably secured by moneys distributable to the Land~~
 409 ~~Acquisition Trust Fund pursuant to this section, except as~~
 410 ~~specifically provided otherwise by the documents authorizing the~~
 411 ~~issuance of the bonds. Moneys transferred to the Land~~
 412 ~~Acquisition Trust Fund pursuant to this paragraph, or earnings~~
 413 ~~thereon, may not be used or made available to pay debt service~~
 414 ~~on the Save Our Coast revenue bonds.~~

415 (b) Payment ~~Moneys shall be paid~~ into the State Treasury to
 416 the credit of the Save Our Everglades Trust Fund in amounts
 417 necessary to pay debt service, provide reserves, and pay rebate
 418 obligations and other amounts due with respect to bonds issued
 419 pursuant to ~~under~~ s. 215.619. Taxes distributed under paragraph
 420 (a) and this paragraph must be collectively distributed on a pro
 421 rata basis when the available moneys under this subsection are
 422 not sufficient to cover the amounts required under paragraph (a)
 423 and this paragraph.

424
 425 Bonds issued pursuant to s. 215.618 or s. 215.619 are equally
 426 and ratably secured by moneys distributable to the Land
 427 Acquisition Trust Fund.

428 ~~(4)(e)~~ After the required distributions to the Land
 429 Acquisition Trust Fund pursuant to subsections (1) and (2) and
 430 deduction of the service charge imposed pursuant to s. 215.20(1)
 431 ~~payments under paragraphs (a) and (b), the remainder shall be~~
 432 distributed as follows ~~paid into the State Treasury to the~~
 433 ~~credit of:~~

434 ~~(a)1. The State Transportation Trust Fund in the Department~~
 435 ~~of Transportation in the amount of~~ The lesser of 24.18442 ~~38.2~~

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436 percent of the remainder or \$541.75 million in each fiscal year
437 shall be paid into the State Treasury to the credit of the State
438 Transportation Trust Fund. ~~Out~~ Of such funds, ~~the first \$50~~
439 ~~million for the 2012-2013 fiscal year; \$65 million for the 2013-~~
440 ~~2014 fiscal year; and \$75 million for each the 2014-2015 fiscal~~
441 ~~year and all subsequent years,~~ shall be transferred to the State
442 Economic Enhancement and Development Trust Fund within the
443 Department of Economic Opportunity. Notwithstanding any other
444 law, the remaining amount credited to the State Transportation
445 Trust Fund shall remainder is to be used for the following
446 ~~specified purposes, notwithstanding any other law to the~~
447 ~~contrary:~~

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

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

456 3.e. ~~For the purposes of~~ The Strategic Intermodal System
457 specified in ss. 339.61, 339.62, 339.63, and 339.64, in the
458 amount of 75 percent of the these funds after deduction of the
459 payments required pursuant to subparagraphs 1. and 2. allocating
460 ~~for the New Starts Transit Program described in sub-subparagraph~~
461 ~~a. and the Small County Outreach Program described in sub-~~
462 ~~subparagraph b.; and~~

463 4.d. ~~For the purposes of~~ The Transportation Regional
464 Incentive Program specified in s. 339.2819, in the amount of 25

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465 percent of the ~~these~~ funds after deduction of the payments
466 required pursuant to subparagraphs 1. and 2. ~~allocating for the~~
467 ~~New Starts Transit Program described in sub-subparagraph a. and~~
468 ~~the Small County Outreach Program described in sub-subparagraph~~
469 ~~b. Effective July 1, 2014,~~ The first \$60 million of the funds
470 allocated pursuant to this subparagraph ~~sub-subparagraph~~ shall
471 be allocated annually to the Florida Rail Enterprise for the
472 purposes established in s. 341.303(5).

473 (b)2. ~~The Grants and Donations Trust Fund in the Department~~
474 ~~of Economic Opportunity in the amount of~~ The lesser of .1456 ~~.23~~
475 percent of the remainder or \$3.25 million in each fiscal year
476 shall be paid into the State Treasury to the credit of the
477 Grants and Donations Trust Fund in the Department of Economic
478 Opportunity to fund technical assistance to local governments.

479 ~~3. The Ecosystem Management and Restoration Trust Fund in~~
480 ~~the amount of the lesser of 2.12 percent of the remainder or \$30~~
481 ~~million in each fiscal year, to be used for the preservation and~~
482 ~~repair of the state's beaches as provided in ss. 161.091-~~
483 ~~161.212.~~

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

488
489 Moneys distributed pursuant to paragraphs (a) and (b) ~~this~~
490 ~~paragraph~~ may not be pledged for debt service unless such pledge
491 is approved by referendum of the voters.

492 ~~(d) After the required payments under paragraphs (a), (b),~~
493 ~~and (c), the remainder shall be paid into the State Treasury to~~

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494 ~~the credit of the General Revenue Fund to be used and expended~~
495 ~~for the purposes for which the General Revenue Fund was created~~
496 ~~and exists by law.~~

497 ~~(2) The lesser of 7.56 percent of the remaining taxes or~~
498 ~~\$84.9 million in each fiscal year shall be distributed as~~
499 ~~follows:~~

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

503 ~~(b) The remainder shall be paid into the State Treasury to~~
504 ~~the credit of the Land Acquisition Trust Fund. Sums deposited in~~
505 ~~the fund pursuant to this subsection may be used for any purpose~~
506 ~~for which funds deposited in the Land Acquisition Trust Fund may~~
507 ~~lawfully be used.~~

508 ~~(3) (a) The lesser of 1.94 percent of the remaining taxes or~~
509 ~~\$26 million in each fiscal year shall be distributed in the~~
510 ~~following order:~~

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

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

518 ~~3. The remainder shall be paid into the State Treasury to~~
519 ~~the credit of the Land Acquisition Trust Fund.~~

520 ~~(b) Moneys deposited in the Land Acquisition Trust Fund~~
521 ~~pursuant to this subsection shall be used to acquire coastal~~
522 ~~lands or to pay debt service on bonds issued to acquire coastal~~

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523 ~~lands and to develop and manage lands acquired with moneys from~~
524 ~~the trust fund.~~

525 ~~(4) The lesser of 4.2 percent of the remaining taxes or~~
526 ~~\$60.5 million in each fiscal year shall be paid into the State~~
527 ~~Treasury to the credit of the Water Management Lands Trust Fund.~~
528 ~~Sums deposited in that fund may be used for any purpose~~
529 ~~authorized in s. 373.59. An amount equal to the amounts~~
530 ~~necessary to pay debt service or to fund debt service reserve~~
531 ~~funds, rebate obligations, or other amounts payable with respect~~
532 ~~to bonds authorized pursuant to s. 215.619(1)(a)2. and the~~
533 ~~proviso associated with Specific Appropriation 1626A of the~~
534 ~~2014-2015 General Appropriations Act shall be transferred~~
535 ~~annually from the Water Management Lands Trust Fund to the~~
536 ~~General Revenue Fund.~~

537 ~~(5) Of the remaining taxes, 3.52 percent shall be paid into~~
538 ~~the State Treasury to the credit of the Conservation and~~
539 ~~Recreation Lands Trust Fund to carry out the purposes set forth~~
540 ~~in s. 259.032. Eleven and fifteen hundredths percent of the~~
541 ~~amount credited to the Conservation and Recreation Lands Trust~~
542 ~~Fund pursuant to this subsection shall be transferred to the~~
543 ~~State Game Trust Fund and used for land management activities.~~

544 ~~(6) The lesser of 2.28 percent of the remaining taxes or~~
545 ~~\$34.1 million in each fiscal year shall be paid into the State~~
546 ~~Treasury to the credit of the Invasive Plant Control Trust Fund~~
547 ~~to carry out the purposes set forth in ss. 369.22 and 369.252.~~

548 ~~(7) The lesser of .5 percent of the remaining taxes or \$9.3~~
549 ~~million in each fiscal year shall be paid into the State~~
550 ~~Treasury to the credit of the State Game Trust Fund to be used~~
551 ~~exclusively for the purpose of implementing the Lake Restoration~~

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552 ~~2020 Program.~~

553 ~~(8) One-half of one percent of the remaining taxes shall be~~
554 ~~paid into the State Treasury and divided equally to the credit~~
555 ~~of the Department of Environmental Protection Water Quality~~
556 ~~Assurance Trust Fund to address water quality impacts associated~~
557 ~~with nonagricultural nonpoint sources and to the credit of the~~
558 ~~Department of Agriculture and Consumer Services General~~
559 ~~Inspection Trust Fund to address water quality impacts~~
560 ~~associated with agricultural nonpoint sources, respectively.~~
561 ~~These funds shall be used for research, development,~~
562 ~~demonstration, and implementation of suitable best management~~
563 ~~practices or other measures used to achieve water quality~~
564 ~~standards in surface waters and water segments identified~~
565 ~~pursuant to ss. 303(d) of the Clean Water Act, Pub. L. No. 92-~~
566 ~~500, 33 U.S.C. ss. 1251 et seq. Implementation of best~~
567 ~~management practices and other measures may include cost-share~~
568 ~~grants, technical assistance, implementation tracking, and~~
569 ~~conservation leases or other agreements for water quality~~
570 ~~improvement. The Department of Environmental Protection and the~~
571 ~~Department of Agriculture and Consumer Services may adopt rules~~
572 ~~governing the distribution of funds for implementation of best~~
573 ~~management practices. The unobligated balance of funds received~~
574 ~~from the distribution of taxes collected under this chapter to~~
575 ~~address water quality impacts associated with nonagricultural~~
576 ~~nonpoint sources must be excluded when calculating the~~
577 ~~unobligated balance of the Water Quality Assurance Trust Fund as~~
578 ~~it relates to the determination of the applicable excise tax~~
579 ~~rate.~~

580 (c)(9) Eleven and twenty-four ~~Seven and fifty-three~~

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581 hundredths percent of the remainder ~~remaining taxes~~ in each
582 fiscal year shall be paid into the State Treasury to the credit
583 of the State Housing Trust Fund. ~~Out~~ Of such funds, ~~beginning in~~
584 ~~the 2012-2013 fiscal year~~, the first \$35 million shall be
585 transferred annually, subject to any distribution required
586 pursuant to ~~under~~ subsection (5) ~~(15)~~, to the State Economic
587 Enhancement and Development Trust Fund within the Department of
588 Economic Opportunity. The remainder shall be used as follows:

589 1.(a) Half of that amount shall be used for the purposes
590 for which the State Housing Trust Fund was created and exists by
591 law.

592 2.(b) Half of that amount shall be paid into the State
593 Treasury to the credit of the Local Government Housing Trust
594 Fund and used for the purposes for which the Local Government
595 Housing Trust Fund was created and exists by law.

596 (d) ~~(10)~~ Twelve and ninety-three ~~Eight and sixty-six~~
597 hundredths percent of the remainder ~~remaining taxes~~ in each
598 fiscal year shall be paid into the State Treasury to the credit
599 of the State Housing Trust Fund. ~~Out~~ Of such funds, ~~beginning in~~
600 ~~the 2012-2013 fiscal year~~, the first \$40 million shall be
601 transferred annually, subject to any distribution required
602 pursuant to ~~under~~ subsection (5) ~~(15)~~, to the State Economic
603 Enhancement and Development Trust Fund within the Department of
604 Economic Opportunity. The remainder shall be used as follows:

605 1.(a) Twelve and one-half percent of that amount shall be
606 deposited into the State Housing Trust Fund and ~~be~~ expended by
607 the Department of Economic Opportunity and ~~by~~ the Florida
608 Housing Finance Corporation for the purposes for which the State
609 Housing Trust Fund was created and exists by law.

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610 2.~~(b)~~ Eighty-seven and one-half percent of that amount
611 shall be distributed to the Local Government Housing Trust Fund
612 and used for the purposes for which the Local Government Housing
613 Trust Fund was created and exists by law. Funds from this
614 category may also be used to provide for state and local
615 services to assist the homeless.

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

620 ~~(11) The distribution of proceeds deposited into the Water~~
621 ~~Management Lands Trust Fund and the Conservation and Recreation~~
622 ~~Lands Trust Fund, pursuant to subsections (4) and (5), may not~~
623 ~~be used for land acquisition but may be used for preacquisition~~
624 ~~costs associated with land purchases. The Legislature intends~~
625 ~~that the Florida Forever program supplant the acquisition~~
626 ~~programs formerly authorized under ss. 259.032 and 373.59.~~

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

630 ~~(13) In each fiscal year that the remaining taxes exceed~~
631 ~~collections in the prior fiscal year, the stated maximum dollar~~
632 ~~amounts provided in subsections (2), (4), (6), and (7) shall~~
633 ~~each be increased by an amount equal to 10 percent of the~~
634 ~~increase in the remaining taxes collected under this chapter~~
635 ~~multiplied by the applicable percentage provided in those~~
636 ~~subsections.~~

637 ~~(14) If the payment requirements in any year for bonds~~
638 ~~outstanding on July 1, 2007, or bonds issued to refund such~~

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639 ~~bonds, exceed the limitations of this section, distributions to~~
640 ~~the trust fund from which the bond payments are made must be~~
641 ~~increased to the lesser of the amount needed to pay bond~~
642 ~~obligations or the limit of the applicable percentage~~
643 ~~distribution provided in subsections (1) (10).~~

644 (5) ~~(15)~~ Distributions to the State Housing Trust Fund
645 pursuant to paragraphs (4) (c) and (d) ~~subsections (9) and (10)~~
646 must be sufficient to cover amounts required to be transferred
647 to the Florida Affordable Housing Guarantee Program's annual
648 debt service reserve and guarantee fund pursuant to s.
649 420.5092 (6) (a) and (b) up to the amount required to be
650 transferred to such reserve and fund based on the percentage
651 distribution of documentary stamp tax revenues to the State
652 Housing Trust Fund which is in effect in the 2004-2005 fiscal
653 year.

654 ~~(16)~~ ~~If amounts necessary to pay debt service or any other~~
655 ~~amounts payable with respect to Preservation 2000 bonds, Florida~~
656 ~~Forever bonds, or Everglades Restoration bonds authorized before~~
657 ~~January 1, 2015, exceed the amounts distributable pursuant to~~
658 ~~subsection (1), all moneys distributable pursuant to this~~
659 ~~section are available for such obligations and transferred in~~
660 ~~the amounts necessary to pay such obligations when due. However,~~
661 ~~amounts distributable pursuant to subsection (2), subsection~~
662 ~~(3), subsection (4), subsection (5), paragraph (9) (a), or~~
663 ~~paragraph (10) (a) are not available to pay such obligations to~~
664 ~~the extent that such moneys are necessary to pay debt service on~~
665 ~~bonds secured by revenues pursuant to those provisions.~~

666 (6) ~~(17)~~ After the distributions provided in the preceding
667 subsections, any remaining taxes shall be paid into the State

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668 Treasury to the credit of the General Revenue Fund.

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

671 211.3103 Levy of tax on severance of phosphate rock; rate,
672 basis, and distribution of tax.—

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

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

680 2. To the credit of the General Revenue Fund of the state,
681 35.7 percent.

682 3. For payment to counties in proportion to the number of
683 tons of phosphate rock produced from a phosphate rock matrix
684 located within such political boundary, 12.8 percent. The
685 department shall distribute this portion of the proceeds
686 annually based on production information reported by the
687 producers on the annual returns for the taxable year. Any such
688 proceeds received by a county shall be used only for phosphate-
689 related expenses.

690 4. For payment to counties that have been designated as a
691 rural area of opportunity pursuant to s. 288.0656 in proportion
692 to the number of tons of phosphate rock produced from a
693 phosphate rock matrix located within such political boundary,
694 10.0 percent. The department shall distribute this portion of
695 the proceeds annually based on production information reported
696 by the producers on the annual returns for the taxable year.

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697 Payments under this subparagraph shall be made to the counties
698 unless the Legislature by special act creates a local authority
699 to promote and direct the economic development of the county. If
700 such authority exists, payments shall be made to that authority.

701 5. To the credit of the Nonmandatory Land Reclamation Trust
702 Fund, 6.2 percent.

703 6. To the credit of the Phosphate Research Trust Fund in
704 the Division of Universities of the Department of Education, 6.2
705 percent.

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

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

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

714 2. To the credit of the General Revenue Fund of the state,
715 31.9 percent.

716 3. For payment to counties pursuant to subparagraph (a)3.,
717 11.5 percent.

718 4. For payment to counties pursuant to subparagraph (a)4.,
719 8.9 percent.

720 5. To the credit of the Nonmandatory Land Reclamation Trust
721 Fund, 16.1 percent.

722 6. To the credit of the Phosphate Research Trust Fund in
723 the Division of Universities of the Department of Education, 5.6
724 percent.

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

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

728 215.20 Certain income and certain trust funds to contribute
729 to the General Revenue Fund.—

730 (2) Notwithstanding the provisions of subsection (1), the
731 trust funds of the Department of Citrus and the Department of
732 Agriculture and Consumer Services, including funds collected in
733 the General Inspection Trust Fund for marketing orders and in
734 the Florida Citrus Advertising Trust Fund, shall be subject to a
735 4 percent service charge, which is hereby appropriated to the
736 General Revenue Fund. This subsection ~~paragraph~~ does not apply
737 to ~~the Conservation and Recreation Lands Program Trust Fund~~, the
738 Citrus Inspection Trust Fund, the Florida Forever Program Trust
739 Fund, the Market Improvements Working Capital Trust Fund, the
740 Pest Control Trust Fund, the Plant Industry Trust Fund, or other
741 funds collected in the General Inspection Trust Fund in the
742 Department of Agriculture and Consumer Services.

743 Section 12. Paragraph (a) of subsection (1) and subsections
744 (2), (3), and (6) of section 215.618, Florida Statutes, are
745 amended to read:

746 215.618 Bonds for acquisition and improvement of land,
747 water areas, and related property interests and resources.—

748 (1) (a) The issuance of Florida Forever bonds, not to exceed
749 \$5.3 billion, to finance or refinance the cost of acquisition
750 and improvement of land, water areas, and related property
751 interests and resources, in urban and rural settings, for the
752 purposes of restoration, conservation, recreation, water
753 resource development, or historical preservation, and for
754 capital improvements to lands and water areas that accomplish

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755 environmental restoration, enhance public access and
756 recreational enjoyment, promote long-term management goals, and
757 facilitate water resource development is hereby authorized,
758 subject to ~~the provisions of~~ s. 259.105 and pursuant to s.
759 11(e), Art. VII of the State Constitution and, on or after July
760 1, 2015, to also finance or refinance the acquisition and
761 improvement of land, water areas, and related property interests
762 as provided in s. 28, Art. X of the State Constitution. Florida
763 Forever bonds may also be issued to refund Preservation 2000
764 bonds issued pursuant to s. 375.051. The \$5.3 billion limitation
765 on the issuance of Florida Forever bonds does not apply to
766 refunding bonds. The duration of each series of Florida Forever
767 bonds issued may not exceed 20 annual maturities. Preservation
768 2000 bonds and Florida Forever bonds shall be equally and
769 ratably secured by moneys distributable to the Land Acquisition
770 Trust Fund pursuant to s. 201.15(1)(a), ~~except to the extent~~
771 ~~specifically provided otherwise by the documents authorizing the~~
772 ~~issuance of the bonds.~~

773 (2) The state covenants ~~does hereby covenant~~ with the
774 holders of Florida Forever bonds and Preservation 2000 bonds
775 that it will not take any action which will materially and
776 adversely affect the rights of such holders so long as such
777 bonds are outstanding, including, but not limited to, a
778 reduction in the portion of documentary stamp taxes
779 distributable to the Land Acquisition Trust Fund for payment of
780 debt service on ~~Preservation 2000 bonds or~~ Florida Forever
781 bonds.

782 (3) Bonds issued pursuant to this section are ~~shall be~~
783 payable from taxes distributable to the Land Acquisition Trust

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784 Fund pursuant to s. 201.15(1)~~(a)~~. Bonds issued pursuant to this
785 section do ~~shall~~ not constitute a general obligation of, or a
786 pledge of the full faith and credit of, the state.

787 (6) Pursuant to authority granted under ~~by~~ s. 11(e), Art.
788 VII of the State Constitution, there is hereby continued and re-
789 created the Land Acquisition Trust Fund which shall ~~be a~~
790 ~~continuation of the Land Acquisition Trust Fund which exists for~~
791 ~~purposes of s. 9(a)(1), Art. XII of the State Constitution. The~~
792 ~~Land Acquisition Trust Fund shall continue beyond the~~
793 ~~termination of bonding authority provided for in s. 9(a)(1),~~
794 ~~Art. XII of the State Constitution, pursuant to the authority~~
795 ~~provided by s. 11(e), Art. VII of the State Constitution and~~
796 ~~shall continue for so long as Preservation 2000 bonds or Florida~~
797 ~~Forever bonds are outstanding and secured by taxes distributable~~
798 ~~thereto or until the requirement of s. 28(a), Art. X of the~~
799 ~~State Constitution expires, whichever is later.~~

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

802 215.619 Bonds for Everglades restoration.—

803 (2) The state covenants with the holders of Everglades
804 restoration bonds that it will not take any action that will
805 materially and adversely affect the rights of the holders so
806 long as the bonds are outstanding, including, but not limited
807 to, a reduction in the portion of documentary stamp taxes
808 distributable under s. 201.15(1) for payment of debt service on
809 ~~Preservation 2000 bonds,~~ Florida Forever bonds~~,~~ or Everglades
810 restoration bonds.

811 (3) Everglades restoration bonds are payable from, and
812 secured by a first lien on, taxes distributable under s.

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813 201.15(1) ~~s. 201.15(1)(b)~~ and do not constitute a general
814 obligation of, or a pledge of the full faith and credit of, the
815 state. Everglades restoration bonds shall be secured on a parity
816 basis with bonds secured by moneys distributable under s.
817 201.15(1) ~~s. 201.15(1)(a)~~.

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

820 253.027 Emergency archaeological property acquisition.—

821 (5) ACCOUNT EXPENDITURES.—

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

825 1. The property is an archaeological property of major
826 statewide significance.

827 2. The structures, artifacts, or relics, or their historic
828 significance, will be irretrievably lost if the state cannot
829 acquire the property.

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

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

836 5. The site is not otherwise protected by local, state, or
837 federal laws.

838 6. The acquisition is not inconsistent with the state
839 comprehensive plan and the state land acquisition program.

840 (b) No moneys shall be spent from the account for
841 excavation or restoration of the properties acquired. Funds may

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842 be spent for preliminary surveys to determine if the sites meet
843 the criteria of this section. An amount not to exceed \$100,000
844 may also be spent from the account to inventory and evaluate
845 archaeological and historic resources on properties purchased,
846 or proposed for purchase, pursuant to s. 259.105(3)(b) ~~s.~~
847 ~~259.032~~.

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

850 253.03 Board of trustees to administer state lands; lands
851 enumerated.-

852 (12) The Board of Trustees of the Internal Improvement
853 Trust Fund is hereby authorized to administer, manage, control,
854 conserve, protect, and sell all real property forfeited to the
855 state pursuant to ss. 895.01-895.09 or acquired by the state
856 pursuant to s. 607.0505 or former s. 620.192. The board is
857 directed to immediately determine the value of all such property
858 and shall ascertain whether the property is in any way
859 encumbered. If the board determines that it is in the best
860 interest of the state to do so, funds from the Internal
861 Improvement Trust Fund may be used to satisfy any such
862 encumbrances. If forfeited property receipts are not sufficient
863 to satisfy encumbrances on the property and expenses permitted
864 under this section, funds from another appropriate ~~the Land~~
865 ~~Acquisition~~ trust fund may be used to satisfy any such
866 encumbrances and expenses. All property acquired by the board
867 pursuant to s. 607.0505, former s. 620.192, or ss. 895.01-895.09
868 shall be sold as soon as commercially feasible unless the
869 Attorney General recommends and the board determines that
870 retention of the property in public ownership would effectuate

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871 one or more of the following policies of statewide significance:
872 protection or enhancement of floodplains, marshes, estuaries,
873 lakes, rivers, wilderness areas, wildlife areas, wildlife
874 habitat, or other environmentally sensitive natural areas or
875 ecosystems; or preservation of significant archaeological or
876 historical sites identified by the Secretary of State. In such
877 event the property shall remain in the ownership of the board,
878 to be controlled, managed, and disposed of in accordance with
879 this chapter, and the Internal Improvement Trust Fund shall be
880 reimbursed from the Land Acquisition Trust Fund, or other
881 appropriate fund designated by the board, for any funds expended
882 from the Internal Improvement Trust Fund pursuant to this
883 subsection in regard to such property. Upon the recommendation
884 of the Attorney General, the board may reimburse the
885 investigative agency for its investigative expenses, costs, and
886 attorneys' fees, and may reimburse law enforcement agencies for
887 actual expenses incurred in conducting investigations leading to
888 the forfeiture of such property from funds deposited in the
889 Internal Improvement Trust Fund of the Department of
890 Environmental Protection. The proceeds of the sale of property
891 acquired under s. 607.0505, former s. 620.192, or ss. 895.01-
892 895.09 shall be distributed as follows:

893 (a) After satisfaction of any valid claims arising under
894 ~~the provisions of~~ s. 895.09(1)(a) or (b), any moneys used to
895 satisfy encumbrances and expended as costs of administration,
896 appraisal, management, conservation, protection, sale, and real
897 estate sales services and any interest earnings lost to the ~~Land~~
898 ~~Acquisition~~ trust fund that was used as of a date certified by
899 the Department of Environmental Protection shall be replaced

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900 first in the ~~Land Acquisition~~ trust fund that was used to
901 satisfy any such encumbrance or expense, if those funds were
902 used, and then in the Internal Improvement Trust Fund; and

903 (b) The remainder shall be distributed as set forth in s.
904 895.09.

905 Section 16. Subsection (3), paragraphs (a) and (k) through
906 (n) of subsection (6), and subsections (10) and (11) of section
907 253.034, Florida Statutes, are amended to read:

908 253.034 State-owned lands; uses.-

909 (3) Recognizing ~~In recognition~~ that recreational trails
910 purchased with rails-to-trails funds pursuant to former s.
911 259.101(3)(g), Florida Statutes 2014, or s. 259.105(3)(h) have
912 had historic transportation uses and that their linear character
913 may extend many miles, the Legislature intends that if ~~when~~ the
914 necessity arises to serve public needs, after balancing the need
915 to protect trail users from collisions with automobiles and a
916 preference for the use of overpasses and underpasses to the
917 greatest extent feasible and practical, transportation uses
918 shall be allowed to cross recreational trails purchased pursuant
919 to former s. 259.101(3)(g), Florida Statutes 2014, or s.
920 259.105(3)(h). When these crossings are needed, the location and
921 design should consider and mitigate the impact on humans and
922 environmental resources, and the value of the land shall be paid
923 based on fair market value.

924 (6) The Board of Trustees of the Internal Improvement Trust
925 Fund shall determine which lands, the title to which is vested
926 in the board, may be surplus. For conservation lands, the
927 board shall determine whether the lands are no longer needed for
928 conservation purposes and may dispose of them by an affirmative

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929 vote of at least three members. In the case of a land exchange
930 involving the disposition of conservation lands, the board must
931 determine by an affirmative vote of at least three members that
932 the exchange will result in a net positive conservation benefit.
933 For all other lands, the board shall determine whether the lands
934 are no longer needed and may dispose of them by an affirmative
935 vote of at least three members.

936 (a) For the purposes of this subsection, all lands acquired
937 by the state before July 1, 1999, using proceeds from
938 Preservation 2000 bonds, the former Conservation and Recreation
939 Lands Trust Fund, the former Water Management Lands Trust Fund,
940 Environmentally Endangered Lands Program, and the Save Our Coast
941 Program and titled to the board which are identified as core
942 parcels or within original project boundaries are deemed to have
943 been acquired for conservation purposes.

944 (k) Proceeds from the ~~any~~ sale of surplus conservation
945 lands purchased before July 1, 2015, pursuant to this subsection
946 shall be deposited into the Florida Forever Trust Fund from
947 ~~which such lands were acquired.~~

948 (l) Proceeds from the sale of surplus conservation lands
949 purchased on or after July 1, 2015, shall be deposited into the
950 Land Acquisition Trust Fund or, if required by bond covenants,
951 into the trust fund from which the lands were purchased ~~However,~~
952 ~~if the fund from which the lands were originally acquired no~~
953 ~~longer exists, such proceeds shall be deposited into an~~
954 ~~appropriate account to be used for land management by the lead~~
955 ~~managing agency assigned the lands before the lands were~~
956 ~~declared surplus.~~

957 (m) Funds received from the sale of surplus nonconservation

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958 lands, or lands that were acquired by gift, by donation, or for
959 no consideration, shall be deposited into the Internal
960 Improvement Trust Fund.

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

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

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

973 (10) The following additional uses of conservation lands
974 acquired pursuant to the Florida Forever program and other
975 state-funded conservation land purchase programs shall be
976 authorized, upon a finding by the board of trustees, if they
977 meet the criteria specified in paragraphs (a)-(e): water
978 resource development projects, water supply development
979 projects, stormwater management projects, linear facilities, and
980 sustainable agriculture and forestry. Such additional uses are
981 authorized where:

982 (a) Not inconsistent with the management plan for such
983 lands;

984 (b) Compatible with the natural ecosystem and resource
985 values of such lands;

986 (c) The proposed use is appropriately located on such lands

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987 and where due consideration is given to the use of other
988 available lands;

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

991 (e) The use is consistent with the public interest.
992

993 A decision by the board of trustees pursuant to this section
994 shall be given a presumption of correctness. Moneys received
995 from the use of state lands pursuant to this section shall be
996 returned to the lead managing entity in accordance with s.
997 259.032(9)(c) ~~the provisions of s. 259.032(11)(e).~~

998 (11) Lands listed as projects for acquisition may be
999 managed for conservation pursuant to s. 259.032, on an interim
1000 basis by a private party in anticipation of a state purchase in
1001 accordance with a contractual arrangement between the acquiring
1002 agency and the private party that may include management service
1003 contracts, leases, cost-share arrangements or resource
1004 conservation agreements. Lands designated as eligible under this
1005 subsection shall be managed to maintain or enhance the resources
1006 the state is seeking to protect by acquiring the land. Funding
1007 for these contractual arrangements may originate from the
1008 documentary stamp tax revenue deposited into the Land
1009 Acquisition Conservation and Recreation Lands Trust Fund ~~and~~
1010 Water Management Lands Trust Fund. No more than \$6.2 million may
1011 be expended from the Land Acquisition Trust Fund ~~5 percent of~~
1012 ~~funds allocated under the trust funds shall be expended~~ for this
1013 purpose.

1014 Section 17. Section 253.7824, Florida Statutes, is amended
1015 to read:

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1016 253.7824 Sale of products; proceeds.—The department may
1017 authorize the removal and sale of products from the land where
1018 environmentally appropriate, the proceeds from which shall be
1019 deposited into the appropriate ~~in the Land Acquisition~~ trust
1020 fund pursuant to s. 253.034(6)(k), (l), or (m).

1021 Section 18. Subsection (1) of section 258.435, Florida
1022 Statutes, is amended to read:

1023 258.435 Use of aquatic preserves for the accommodation of
1024 visitors.—

1025 (1) The Department of Environmental Protection shall
1026 promote the public use of aquatic preserves and their associated
1027 uplands. The department may receive gifts and donations to carry
1028 out the purpose of this part. Moneys received in trust by the
1029 department by gift, devise, appropriation, or otherwise, subject
1030 to the terms of such trust, shall be deposited into the Grants
1031 and Donations ~~Land Acquisition~~ Trust Fund and appropriated to
1032 the department for the administration, development, improvement,
1033 promotion, and maintenance of aquatic preserves and their
1034 associated uplands and for any future acquisition or development
1035 of aquatic preserves and their associated uplands.

1036 Section 19. Section 259.032, Florida Statutes, is amended
1037 to read:

1038 259.032 Conservation and recreation lands ~~Trust Fund,~~
1039 ~~purpose.~~—

1040 (1) It is the policy of the state that the citizens of this
1041 state shall be assured public ownership of natural areas for
1042 purposes of maintaining this state's unique natural resources;
1043 protecting air, land, and water quality; promoting water
1044 resource development to meet the needs of natural systems and

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1045 citizens of this state; promoting restoration activities on
1046 public lands; and providing lands for natural resource based
1047 recreation. In recognition of this policy, it is the intent of
1048 the Legislature to provide such public lands for the people
1049 residing in urban and metropolitan areas of the state, as well
1050 as those residing in less populated, rural areas. It is the
1051 further intent of the Legislature, with regard to the lands
1052 described in paragraph (2) (c) ~~(3) (e)~~, that a high priority be
1053 given to the acquisition, restoration, and management of such
1054 lands in or near counties exhibiting the greatest concentration
1055 of population and, with regard to the lands described in
1056 subsection (2) ~~(3)~~, that a high priority be given to acquiring
1057 lands or rights or interests in lands that advance the goals and
1058 objectives of the Fish and Wildlife Conservation Commission's
1059 approved species or habitat recovery plans, or lands within any
1060 area designated as an area of critical state concern under s.
1061 380.05 which, in the judgment of the advisory council
1062 established pursuant to s. 259.035, or its successor, cannot be
1063 adequately protected by application of land development
1064 regulations adopted pursuant to s. 380.05. Finally, it is the
1065 Legislature's intent that lands acquired for conservation and
1066 recreation purposes ~~through this program and any successor~~
1067 ~~programs~~ be managed in such a way as to protect or restore their
1068 natural resource values, and provide the greatest benefit,
1069 including public access, to the citizens of this state.

1070 ~~(2) (a) The Conservation and Recreation Lands Trust Fund is~~
1071 ~~established within the Department of Environmental Protection.~~
1072 ~~The fund shall be used as a nonlapsing, revolving fund~~
1073 ~~exclusively for the purposes of this section. The fund shall be~~

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1074 ~~credited with proceeds from the following excise taxes:~~

1075 ~~1. The excise taxes on documents as provided in s. 201.15;~~
1076 ~~and~~

1077 ~~2. The excise tax on the severance of phosphate rock as~~
1078 ~~provided in s. 211.3103.~~

1079
1080 ~~The Department of Revenue shall credit to the fund each month~~
1081 ~~the proceeds from such taxes as provided in this paragraph.~~

1082 ~~(b) There shall annually be transferred from the~~
1083 ~~Conservation and Recreation Lands Trust Fund to the Land~~
1084 ~~Acquisition Trust Fund that amount, not to exceed \$20 million~~
1085 ~~annually, as shall be necessary to pay the debt service on, or~~
1086 ~~fund debt service reserve funds, rebate obligations, or other~~
1087 ~~amounts with respect to bonds issued pursuant to s. 375.051 to~~
1088 ~~acquire lands on the established priority list developed~~
1089 ~~pursuant to ss. 259.101(4) and 259.105; however, no moneys~~
1090 ~~transferred to the Land Acquisition Trust Fund pursuant to this~~
1091 ~~paragraph, or earnings thereon, shall be used or made available~~
1092 ~~to pay debt service on the Save Our Coast revenue bonds. Amounts~~
1093 ~~transferred annually from the Conservation and Recreation Lands~~
1094 ~~Trust Fund to the Land Acquisition Trust Fund pursuant to this~~
1095 ~~paragraph shall have the highest priority over other payments or~~
1096 ~~transfers from the Conservation and Recreation Lands Trust Fund,~~
1097 ~~and no other payments or transfers shall be made from the~~
1098 ~~Conservation and Recreation Lands Trust Fund until such~~
1099 ~~transfers to the Land Acquisition Trust Fund have been made.~~
1100 ~~Moneys in the Conservation and Recreation Lands Trust Fund also~~
1101 ~~shall be used to manage lands and to pay for related costs,~~
1102 ~~activities, and functions pursuant to the provisions of this~~

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1103 ~~section.~~

1104 (2)~~(3)~~ The Governor and Cabinet, sitting as the Board of
1105 Trustees of the Internal Improvement Trust Fund, may expend
1106 ~~allocate~~ moneys appropriated by the Legislature ~~from the fund in~~
1107 ~~any one year~~ to acquire the fee or any lesser interest in lands
1108 for the following public purposes:

1109 (a) To conserve and protect environmentally unique and
1110 irreplaceable lands that contain native, relatively unaltered
1111 flora and fauna representing a natural area unique to, or scarce
1112 within, a region of this state or a larger geographic area;

1113 (b) To conserve and protect lands within designated areas
1114 of critical state concern, if the proposed acquisition relates
1115 to the natural resource protection purposes of the designation;

1116 (c) To conserve and protect native species habitat or
1117 endangered or threatened species, emphasizing long-term
1118 protection for endangered or threatened species designated G-1
1119 or G-2 by the Florida Natural Areas Inventory, and especially
1120 those areas that are special locations for breeding and
1121 reproduction;

1122 (d) To conserve, protect, manage, or restore important
1123 ecosystems, landscapes, and forests, if the protection and
1124 conservation of such lands is necessary to enhance or protect
1125 significant surface water, groundwater, coastal, recreational,
1126 timber, or fish or wildlife resources which cannot otherwise be
1127 accomplished through local and state regulatory programs;

1128 (e) To promote water resource development that benefits
1129 natural systems and citizens of the state;

1130 (f) To facilitate the restoration and subsequent health and
1131 vitality of the Florida Everglades;

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1132 (g) To provide areas, including recreational trails, for
1133 natural resource based recreation and other outdoor recreation
1134 on any part of any site compatible with conservation purposes;

1135 (h) To preserve significant archaeological or historic
1136 sites;

1137 (i) To conserve urban open spaces suitable for greenways or
1138 outdoor recreation which are compatible with conservation
1139 purposes; or

1140 (j) To preserve agricultural lands under threat of
1141 conversion to development through less-than-fee acquisitions.

1142 (3)~~(4)~~ Lands acquired for conservation and recreation
1143 purposes ~~under this section~~ shall be for use as state-designated
1144 parks, recreation areas, preserves, reserves, historic or
1145 archaeological sites, geologic or botanical sites, recreational
1146 trails, forests, wilderness areas, wildlife management areas,
1147 urban open space, or other state-designated recreation or
1148 conservation lands; or they shall qualify for such state
1149 designation and use if they are to be managed by other
1150 governmental agencies or nonstate entities as provided for in
1151 this section.

1152 (4)~~(5)~~ The board of trustees may expend appropriated funds
1153 ~~allocate, in any year, an amount not to exceed 5 percent of the~~
1154 ~~money credited to the fund in that year, such allocation to be~~
1155 ~~used~~ for the initiation and maintenance of a natural areas
1156 inventory to aid in the identification of areas to be acquired
1157 for conservation and recreation purposes ~~pursuant to this~~
1158 ~~section.~~

1159 ~~(6) Moneys in the fund not needed to meet obligations~~
1160 ~~incurred under this section shall be deposited with the Chief~~

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1161 ~~Financial Officer to the credit of the fund and may be invested~~
1162 ~~in the manner provided by law. Interest received on such~~
1163 ~~investments shall be credited to the Conservation and Recreation~~
1164 ~~Lands Trust Fund.~~

1165 (5) ~~(7)~~ The board of trustees may enter into any contract
1166 necessary to accomplish the purposes of this section. The lead
1167 land managing agencies designated by the board of trustees also
1168 are directed by the Legislature to enter into contracts or
1169 interagency agreements with other governmental entities,
1170 including local soil and water conservation districts, or
1171 private land managers who have the expertise to perform specific
1172 management activities which a lead agency lacks, or which would
1173 cost more to provide in-house. Such activities shall include,
1174 but not be limited to, controlled burning, road and ditch
1175 maintenance, mowing, and wildlife assessments.

1176 (6) ~~(8)~~ Conservation and recreation lands ~~to be considered~~
1177 ~~for purchase under this section~~ are subject to the selection
1178 procedures of s. 259.035 and related rules and shall be acquired
1179 in accordance with acquisition procedures for state lands
1180 provided for in s. 259.041, except as otherwise provided by the
1181 Legislature. An inholding or an addition to conservation and
1182 recreation lands ~~a project selected for purchase pursuant to~~
1183 ~~this chapter~~ is not subject to the selection procedures of s.
1184 259.035 if the estimated value of such inholding or addition
1185 does not exceed \$500,000. When at least 90 percent of the
1186 acreage of a project has been purchased for conservation and
1187 recreation purposes ~~pursuant to this chapter~~, the project may be
1188 removed from the list and the remaining acreage may continue to
1189 be purchased. Funds appropriated to acquire conservation and

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1190 recreation lands ~~Moneys from the fund~~ may be used for title
1191 work, appraisal fees, environmental audits, and survey costs
1192 related to acquisition expenses for lands to be acquired,
1193 donated, or exchanged which qualify under the categories of this
1194 section, at the discretion of the board. When the Legislature
1195 has authorized the Department of Environmental Protection to
1196 condemn a specific parcel of land and such parcel has already
1197 been approved for acquisition ~~under this section~~, the land may
1198 be acquired in accordance with the provisions of chapter 73 or
1199 chapter 74, and the funds appropriated to acquire conservation
1200 and recreation lands fund ~~fund~~ may be used to pay the condemnation
1201 award and all costs, including a reasonable attorney's fee,
1202 associated with condemnation.

1203 (7)~~(9)~~ All lands managed under this chapter and s. 253.034
1204 shall be:

1205 (a) Managed in a manner that will provide the greatest
1206 combination of benefits to the public and to the resources.

1207 (b) Managed for public outdoor recreation which is
1208 compatible with the conservation and protection of public lands.
1209 Such management may include, but not be limited to, the
1210 following public recreational uses: fishing, hunting, camping,
1211 bicycling, hiking, nature study, swimming, boating, canoeing,
1212 horseback riding, diving, model hobbyist activities, birding,
1213 sailing, jogging, and other related outdoor activities
1214 compatible with the purposes for which the lands were acquired.

1215 (c) Managed for the purposes for which the lands were
1216 acquired, consistent with paragraph (9) (a) ~~(11) (a)~~.

1217 (d) Concurrent with its adoption of the annual ~~Conservation~~
1218 ~~and Recreation Lands~~ list of acquisition projects pursuant to s.

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1219 259.035, the board of trustees shall adopt a management
1220 prospectus for each project. The management prospectus shall
1221 delineate:

- 1222 1. The management goals for the property;
- 1223 2. The conditions that will affect the intensity of
1224 management;
- 1225 3. An estimate of the revenue-generating potential of the
1226 property, if appropriate;
- 1227 4. A timetable for implementing the various stages of
1228 management and for providing access to the public, if
1229 applicable;
- 1230 5. A description of potential multiple-use activities as
1231 described in this section and s. 253.034;
- 1232 6. Provisions for protecting existing infrastructure and
1233 for ensuring the security of the project upon acquisition;
- 1234 7. The anticipated costs of management and projected
1235 sources of revenue, including legislative appropriations, to
1236 fund management needs; and
- 1237 8. Recommendations as to how many employees will be needed
1238 to manage the property, and recommendations as to whether local
1239 governments, volunteer groups, the former landowner, or other
1240 interested parties can be involved in the management.

1241 (e) Concurrent with the approval of the acquisition
1242 contract pursuant to s. 259.041(3)(c) for any interest in lands
1243 except those lands being acquired under the provisions of s.
1244 259.1052, the board of trustees shall designate an agency or
1245 agencies to manage such lands. The board shall evaluate and
1246 amend, as appropriate, the management policy statement for the
1247 project as provided by s. 259.035, consistent with the purposes

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1248 for which the lands are acquired. For any fee simple acquisition
1249 of a parcel which is or will be leased back for agricultural
1250 purposes, or any acquisition of a less-than-fee interest in land
1251 that is or will be used for agricultural purposes, the Board of
1252 Trustees of the Internal Improvement Trust Fund shall first
1253 consider having a soil and water conservation district, created
1254 pursuant to chapter 582, manage and monitor such interests.

1255 (f) State agencies designated to manage lands acquired
1256 under this chapter or with funds deposited into the Land
1257 Acquisition Trust Fund pursuant to s. 28(a), Art. X of the State
1258 Constitution, except those lands acquired under s. 259.1052, may
1259 contract with local governments and soil and water conservation
1260 districts to assist in management activities, including the
1261 responsibility of being the lead land manager. Such land
1262 management contracts may include a provision for the transfer of
1263 management funding to the local government or soil and water
1264 conservation district from the land acquisition ~~Conservation and~~
1265 ~~Recreation Lands~~ trust fund of the lead land managing agency in
1266 an amount adequate for the local government or soil and water
1267 conservation district to perform its contractual land management
1268 responsibilities and proportionate to its responsibilities, and
1269 which otherwise would have been expended by the state agency to
1270 manage the property.

1271 (g) Immediately following the acquisition of any interest
1272 in conservation and recreation lands ~~under this chapter~~, the
1273 Department of Environmental Protection, acting on behalf of the
1274 board of trustees, may issue to the lead managing entity an
1275 interim assignment letter to be effective until the execution of
1276 a formal lease.

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1277 (8)~~(10)~~(a) State, regional, or local governmental agencies
1278 or private entities designated to manage lands under this
1279 section shall develop and adopt, with the approval of the board
1280 of trustees, an individual management plan for each project
1281 designed to conserve and protect such lands and their associated
1282 natural resources. Private sector involvement in management plan
1283 development may be used to expedite the planning process.

1284 (b) Individual management plans required by s. 253.034(5),
1285 for parcels over 160 acres, shall be developed with input from
1286 an advisory group. Members of this advisory group shall include,
1287 at a minimum, representatives of the lead land managing agency,
1288 comanaging entities, local private property owners, the
1289 appropriate soil and water conservation district, a local
1290 conservation organization, and a local elected official. The
1291 advisory group shall conduct at least one public hearing within
1292 the county in which the parcel or project is located. For those
1293 parcels or projects that are within more than one county, at
1294 least one areawide public hearing shall be acceptable and the
1295 lead managing agency shall invite a local elected official from
1296 each county. The areawide public hearing shall be held in the
1297 county in which the core parcels are located. Notice of such
1298 public hearing shall be posted on the parcel or project
1299 designated for management, advertised in a paper of general
1300 circulation, and announced at a scheduled meeting of the local
1301 governing body before the actual public hearing. The management
1302 prospectus required pursuant to paragraph (7) (d) ~~(9) (d)~~ shall be
1303 available to the public for a period of 30 days prior to the
1304 public hearing.

1305 (c) Once a plan is adopted, the managing agency or entity

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1306 shall update the plan at least every 10 years in a form and
1307 manner prescribed by rule of the board of trustees. Such
1308 updates, for parcels over 160 acres, shall be developed with
1309 input from an advisory group. Such plans may include transfers
1310 of leasehold interests to appropriate conservation organizations
1311 or governmental entities designated by the Land Acquisition and
1312 Management Advisory Council or its successor, for uses
1313 consistent with the purposes of the organizations and the
1314 protection, preservation, conservation, restoration, and proper
1315 management of the lands and their resources. Volunteer
1316 management assistance is encouraged, including, but not limited
1317 to, assistance by youths participating in programs sponsored by
1318 state or local agencies, by volunteers sponsored by
1319 environmental or civic organizations, and by individuals
1320 participating in programs for committed delinquents and adults.

1321 (d)1. For each project for which lands are acquired after
1322 July 1, 1995, an individual management plan shall be adopted and
1323 in place no later than 1 year after the essential parcel or
1324 parcels identified in the priority list developed pursuant to s.
1325 259.105 ~~ss. 259.101(4) and 259.105~~ have been acquired. The
1326 Department of Environmental Protection shall distribute only 75
1327 percent of the acquisition funds to which a budget entity or
1328 water management district would otherwise be entitled ~~from the~~
1329 ~~Preservation 2000 Trust Fund~~ to any budget entity or any water
1330 management district that has more than one-third of its
1331 management plans overdue.

1332 2. The requirements of subparagraph 1. do not apply to the
1333 individual management plan for the Babcock Crescent B Ranch
1334 being acquired pursuant to s. 259.1052. The management plan for

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1335 the ranch shall be adopted and in place no later than 2 years
1336 following the date of acquisition by the state.

1337 (e) Individual management plans shall conform to the
1338 appropriate policies and guidelines of the state land management
1339 plan and shall include, but not be limited to:

1340 1. A statement of the purpose for which the lands were
1341 acquired, the projected use or uses as defined in s. 253.034,
1342 and the statutory authority for such use or uses.

1343 2. Key management activities necessary to achieve the
1344 desired outcomes, including, but not limited to, providing
1345 public access, preserving and protecting natural resources,
1346 protecting cultural and historical resources, restoring habitat,
1347 protecting threatened and endangered species, controlling the
1348 spread of nonnative plants and animals, performing prescribed
1349 fire activities, and other appropriate resource management.

1350 3. A specific description of how the managing agency plans
1351 to identify, locate, protect, and preserve, or otherwise use
1352 fragile, nonrenewable natural and cultural resources.

1353 4. A priority schedule for conducting management
1354 activities, based on the purposes for which the lands were
1355 acquired.

1356 5. A cost estimate for conducting priority management
1357 activities, to include recommendations for cost-effective
1358 methods of accomplishing those activities.

1359 6. A cost estimate for conducting other management
1360 activities which would enhance the natural resource value or
1361 public recreation value for which the lands were acquired. The
1362 cost estimate shall include recommendations for cost-effective
1363 methods of accomplishing those activities.

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1364 7. A determination of the public uses and public access
1365 that would be consistent with the purposes for which the lands
1366 were acquired.

1367 (f) The Division of State Lands shall submit a copy of each
1368 individual management plan for parcels which exceed 160 acres in
1369 size to each member of the Acquisition and Restoration Council,
1370 which shall:

1371 1. Within 60 days after receiving a plan from the division,
1372 review each plan for compliance with the requirements of this
1373 subsection and with the requirements of the rules established by
1374 the board pursuant to this subsection.

1375 2. Consider the propriety of the recommendations of the
1376 managing agency with regard to the future use or protection of
1377 the property.

1378 3. After its review, submit the plan, along with its
1379 recommendations and comments, to the board of trustees, with
1380 recommendations as to whether to approve the plan as submitted,
1381 approve the plan with modifications, or reject the plan.

1382 (g) The board of trustees shall consider the individual
1383 management plan submitted by each state agency and the
1384 recommendations of the Acquisition and Restoration Council and
1385 the Division of State Lands and shall approve the plan with or
1386 without modification or reject such plan. The use or possession
1387 of any lands owned by the board of trustees which is not in
1388 accordance with an approved individual management plan is
1389 subject to termination by the board of trustees.

1390

1391 By July 1 of each year, each governmental agency and each
1392 private entity designated to manage lands shall report to the

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1393 Secretary of Environmental Protection on the progress of
1394 funding, staffing, and resource management of every project for
1395 which the agency or entity is responsible.

1396 (9)~~(11)~~(a) The Legislature recognizes that acquiring lands
1397 pursuant to this chapter serves the public interest by
1398 protecting land, air, and water resources which contribute to
1399 the public health and welfare, providing areas for natural
1400 resource based recreation, and ensuring the survival of unique
1401 and irreplaceable plant and animal species. The Legislature
1402 intends for these lands to be managed and maintained for the
1403 purposes for which they were acquired and for the public to have
1404 access to and use of these lands where it is consistent with
1405 acquisition purposes and would not harm the resources the state
1406 is seeking to protect on the public's behalf.

1407 (b) An amount of not less than 1.5 percent of the
1408 cumulative total of funds ever deposited into the Florida
1409 Preservation 2000 Trust Fund and the Florida Forever Trust Fund
1410 shall be made available for the purposes of management,
1411 maintenance, and capital improvements ~~not eligible for funding~~
1412 ~~pursuant to s. 11(e), Art. VII of the State Constitution, and~~
1413 for associated contractual services, for conservation and
1414 recreation lands acquired with funds deposited into the Land
1415 Acquisition Trust Fund pursuant to s. 28(a), Art. X of the State
1416 Constitution or pursuant to former s. 259.032, Florida Statutes
1417 2014 this section, former s. 259.101, Florida Statutes 2014, s.
1418 259.105, s. 259.1052, or previous programs for the acquisition
1419 of lands for conservation and recreation, including state
1420 forests, to which title is vested in the board of trustees and
1421 other conservation and recreation lands managed by a state

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1422 agency. ~~Of this amount, \$250,000 shall be transferred annually~~
1423 ~~to the Plant Industry Trust Fund within the Department of~~
1424 ~~Agriculture and Consumer Services for the purpose of~~
1425 ~~implementing the Endangered or Threatened Native Flora~~
1426 ~~Conservation Grants Program pursuant to s. 581.185(11).~~ Each
1427 agency with management responsibilities shall annually request
1428 from the Legislature funds sufficient to fulfill such
1429 responsibilities to implement individual management plans. For
1430 the purposes of this paragraph, capital improvements shall
1431 include, but need not be limited to, perimeter fencing, signs,
1432 firelanes, access roads and trails, and minimal public
1433 accommodations, such as primitive campsites, garbage
1434 receptacles, and toilets. Any equipment purchased with funds
1435 provided pursuant to this paragraph may be used for the purposes
1436 described in this paragraph on any conservation and recreation
1437 lands managed by a state agency. ~~The funding requirement created~~
1438 ~~in this paragraph is subject to an annual evaluation by the~~
1439 ~~Legislature in order to ensure that such requirement does not~~
1440 ~~impact the respective trust fund in a manner that would prevent~~
1441 ~~the trust fund from meeting other minimum requirements.~~

1442 (c) All revenues generated through multiple-use management
1443 or compatible secondary-use management shall be returned to the
1444 lead agency responsible for such management and shall be used to
1445 pay for management activities on all conservation, preservation,
1446 and recreation lands under the agency's jurisdiction. In
1447 addition, such revenues shall be segregated in an agency trust
1448 fund and shall remain available to the agency in subsequent
1449 fiscal years to support land management appropriations. For the
1450 purposes of this paragraph, compatible secondary-use management

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1451 shall be those activities described in subsection (7) ~~(9)~~
1452 undertaken on parcels designated as single use pursuant to s.
1453 253.034(2)(b).

1454 (d) Up to one-fifth of the funds appropriated for the
1455 purposes identified ~~provided for~~ in paragraph (b) shall be
1456 reserved by the board of trustees for interim management of
1457 acquisitions and for associated contractual services, to ensure
1458 the conservation and protection of natural resources on project
1459 sites and to allow limited public recreational use of lands.
1460 Interim management activities may include, but not be limited
1461 to, resource assessments, control of invasive, nonnative
1462 species, habitat restoration, fencing, law enforcement,
1463 controlled burning, and public access consistent with
1464 preliminary determinations made pursuant to paragraph (7)(g)
1465 ~~(9)(g)~~. The board of trustees shall make these interim funds
1466 available immediately upon purchase.

1467 (e) The department shall set long-range and annual goals
1468 for the control and removal of nonnative, invasive plant species
1469 on public lands. Such goals shall differentiate between aquatic
1470 plant species and upland plant species. In setting such goals,
1471 the department may rank, in order of adverse impact, species
1472 that impede or destroy the functioning of natural systems.
1473 Notwithstanding paragraph (a), up to one-fourth of the funds
1474 provided for in paragraph (b) may be used by the agencies
1475 receiving those funds for control and removal of nonnative,
1476 invasive species on public lands.

1477 ~~(f) For the 2014-2015 fiscal year only, moneys in the~~
1478 ~~Conservation and Recreation Lands Trust Fund may be transferred~~
1479 ~~to the Florida Forever Trust Fund for the Florida Forever~~

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1480 ~~program and to the Save Our Everglades Trust Fund to support~~
1481 ~~Everglades restoration projects included in the final report of~~
1482 ~~the Select Committee on Indian River Lagoon and Lake Okeechobee~~
1483 ~~Basin, dated November 8, 2013, pursuant to nonoperating budget~~
1484 ~~authority under s. 216.181(12). This subsection expires July 1,~~
1485 ~~2015.~~

1486 ~~(10)(12)~~(a) Beginning July 1, 1999, The Legislature may
1487 expend ~~shall make available sufficient~~ funds annually from an
1488 appropriate ~~the Conservation and Recreation Lands~~ trust fund to
1489 the department for payment in lieu of taxes to qualifying
1490 counties and local governments as defined in paragraph (b) for
1491 all actual tax losses incurred as a result of board of trustees
1492 acquisitions for state agencies under the Florida Forever
1493 program or the former Florida Preservation 2000 program ~~during~~
1494 ~~any year. Reserved funds not used for payments in lieu of taxes~~
1495 ~~in any year shall revert to the fund to be used for land~~
1496 ~~management in accordance with the provisions of this section.~~

1497 (b) Payment in lieu of taxes shall be available:

1498 1. To all counties that have a population of 150,000 or
1499 fewer. Population levels shall be determined pursuant to s.
1500 11.031.

1501 2. To all local governments located in eligible counties.

1502 3. To Glades County, where a privately owned and operated
1503 prison leased to the state has recently been opened and where
1504 privately owned and operated juvenile justice facilities leased
1505 to the state have recently been constructed and opened, a
1506 payment in lieu of taxes, in an amount that offsets the loss of
1507 property tax revenue, which funds have already been appropriated
1508 and allocated from the Department of Correction's budget for the

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1509 purpose of reimbursing amounts equal to lost ad valorem taxes.

1510 (c) If insufficient funds are available in any year to make
1511 full payments to all qualifying counties and local governments,
1512 such counties and local governments shall receive a pro rata
1513 share of the moneys available.

1514 (d) The payment amount shall be based on the average amount
1515 of actual taxes paid on the property for the 3 years preceding
1516 acquisition. Applications for payment in lieu of taxes shall be
1517 made no later than January 31 of the year following acquisition.
1518 No payment in lieu of taxes shall be made for properties which
1519 were exempt from ad valorem taxation for the year immediately
1520 preceding acquisition.

1521 (e) If property which was subject to ad valorem taxation
1522 was acquired by a tax-exempt entity for ultimate conveyance to
1523 the state under this chapter, payment in lieu of taxes shall be
1524 made for such property based upon the average amount of taxes
1525 paid on the property for the 3 years prior to its being removed
1526 from the tax rolls. The department shall certify to the
1527 Department of Revenue those properties that may be eligible
1528 under this provision. Once eligibility has been established,
1529 that county or local government shall receive annual payments
1530 for each tax loss until the qualifying county or local
1531 government exceeds the population threshold pursuant to this
1532 section.

1533 (f) Payment in lieu of taxes pursuant to this subsection
1534 shall be made annually to qualifying counties and local
1535 governments after certification by the Department of Revenue
1536 that the amounts applied for are reasonably appropriate, based
1537 on the amount of actual taxes paid on the eligible property.

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1538 With the assistance of the local government requesting payment
1539 in lieu of taxes, the state agency that acquired the land is
1540 responsible for preparing and submitting application requests
1541 for payment to the Department of Revenue for certification.

1542 (g) If the board of trustees conveys to a local government
1543 title to any land owned by the board, any payments in lieu of
1544 taxes on the land made to the local government shall be
1545 discontinued as of the date of the conveyance.

1546

1547 For the purposes of this subsection, "local government" includes
1548 municipalities, the county school board, mosquito control
1549 districts, and any other local government entity which levies ad
1550 valorem taxes, with the exception of a water management
1551 district.

1552 ~~(13) Moneys credited to the fund each year which are not~~
1553 ~~used for management, maintenance, or capital improvements~~
1554 ~~pursuant to subsection (11); for payment in lieu of taxes~~
1555 ~~pursuant to subsection (12); or for the purposes of subsection~~
1556 ~~(5), shall be available for the acquisition of land pursuant to~~
1557 ~~this section.~~

1558 (11)~~(14)~~ The board of trustees may adopt rules to further
1559 define the categories of land for acquisition under this
1560 chapter.

1561 (12)~~(15)~~ Within 90 days after receiving a certified letter
1562 from the owner of a property on the ~~Conservation and Recreation~~
1563 ~~Lands list or the~~ priority list established pursuant to s.
1564 259.105 objecting to the property being included in an
1565 acquisition project, where such property is a project or part of
1566 a project which has not been listed for purchase in the current

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1567 year's land acquisition work plan, the board of trustees shall
1568 delete the property from the list or from the boundary of an
1569 acquisition project on the list.

1570 Section 20. Subsections (3), (4), and (6) of section
1571 259.035, Florida Statutes, are amended to read:

1572 259.035 Acquisition and Restoration Council.—

1573 (3) The council shall provide assistance to the board of
1574 trustees in reviewing the recommendations and plans for state-
1575 owned lands required under s. 253.034 and this chapter ~~ss.~~
1576 ~~253.034 and 259.032~~. The council shall, in reviewing such
1577 recommendations and plans, consider the optimization of
1578 multiple-use and conservation strategies to accomplish the
1579 provisions funded pursuant to former s. 259.101(3)(a), Florida
1580 Statutes 2014, and to s. 259.105(3)(b) ~~ss. 259.101(3)(a) and~~
1581 ~~259.105(3)(b)~~.

1582 ~~(4)(a) The council may use existing rules adopted by the~~
1583 ~~board of trustees, until it develops and recommends amendments~~
1584 ~~to those rules, to competitively evaluate, select, and rank~~
1585 ~~projects eligible for the Conservation and Recreation Lands list~~
1586 ~~pursuant to ss. 259.032(3) and 259.101(4).~~

1587 ~~(a)(b)~~ By January 1, 2017 ~~December 1, 2009~~, the Acquisition
1588 and Restoration Council shall develop rules defining specific
1589 criteria and numeric performance measures needed for lands that
1590 are to be acquired for public purpose with funds deposited into
1591 the Land Acquisition Trust Fund pursuant to s. 28(a), Art. X of
1592 the State Constitution ~~under the Florida Forever program~~
1593 ~~pursuant to s. 259.105. Each recipient of Florida Forever funds~~
1594 ~~shall assist the council in the development of such rules. These~~
1595 rules shall be reviewed and adopted by the board, then submitted

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1596 to the Legislature for consideration by February 1, 2017 ~~2010~~.
1597 The Legislature may reject, modify, or take no action relative
1598 to the proposed rules. If no action is taken, the rules shall be
1599 implemented. Subsequent to their approval, each recipient of
1600 ~~Florida Forever~~ funds from the Land Acquisition Trust Fund shall
1601 annually report to the Division of State Lands on each of the
1602 numeric performance measures accomplished during the previous
1603 fiscal year.

1604 (b) ~~(e)~~ In developing or amending rules, the council shall
1605 give weight to the criteria included in s. 259.105(10). The
1606 board of trustees shall review the recommendations and shall
1607 adopt rules necessary to administer this section.

1608 (6) The proposal for a project pursuant to this section or
1609 s. 259.105(3)(b) may be implemented only if adopted by the
1610 council and approved by the board of trustees. The council shall
1611 consider and evaluate in writing the merits and demerits of each
1612 project that is proposed for acquisition using funds available
1613 pursuant to s. 28, Art. X of the State Constitution ~~Conservation~~
1614 ~~and Recreation Lands, Florida Preservation 2000,~~ or Florida
1615 Forever funding and shall ensure that each proposed project
1616 meets the requirements of s. 28, Art. X of the State
1617 Constitution ~~will meet a stated public purpose for the~~
1618 ~~restoration, conservation, or preservation of environmentally~~
1619 ~~sensitive lands and water areas or for providing outdoor~~
1620 ~~recreational opportunities.~~ The council also shall determine
1621 whether the project conforms, where applicable, with the
1622 comprehensive plan developed pursuant to s. 259.04(1)(a), the
1623 comprehensive multipurpose outdoor recreation plan developed
1624 pursuant to s. 375.021, the state lands management plan adopted

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1625 pursuant to s. 253.03(7), the water resources work plans
1626 developed pursuant to s. 373.199, and the provisions of s.
1627 259.032, s. 259.101, or s. 259.105, whichever is applicable.

1628 Section 21. Subsection (4) of section 259.036, Florida
1629 Statutes, is amended to read:

1630 259.036 Management review teams.—

1631 (4) In the event a land management plan has not been
1632 adopted within the timeframes specified in s. 259.032(8) ~~s.~~
1633 ~~259.032(10)~~, the department may direct a management review of
1634 the property, to be conducted by the land management review
1635 team. The review shall consider the extent to which the land is
1636 being managed for the purposes for which it was acquired and the
1637 degree to which actual management practices are in compliance
1638 with the management policy statement and management prospectus
1639 for that property.

1640 Section 22. Paragraph (b) of subsection (3) of section
1641 259.037, Florida Statutes, is amended to read:

1642 259.037 Land Management Uniform Accounting Council.—

1643 (3)

1644 (b) Each reporting agency shall also:

1645 1. Include a report of the available public use
1646 opportunities for each management unit of state land, the total
1647 management cost for public access and public use, and the cost
1648 associated with each use option.

1649 2. List the acres of land requiring minimal management
1650 effort, moderate management effort, and significant management
1651 effort pursuant to s. 259.032(9)(c) ~~former s. 259.032(11)(e)~~.

1652 For each category created in paragraph (a), the reporting agency
1653 shall include the amount of funds requested, the amount of funds

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1654 received, and the amount of funds expended for land management.

1655 3. List acres managed and cost of management for each park,
1656 preserve, forest, reserve, or management area.

1657 4. List acres managed, cost of management, and lead manager
1658 for each state lands management unit for which secondary
1659 management activities were provided.

1660 5. Include a report of the estimated calculable financial
1661 benefits to the public for the ecosystem services provided by
1662 conservation lands, based on the best readily available
1663 information or science that provides a standard measurement
1664 methodology to be consistently applied by the land managing
1665 agencies. Such information may include, but need not be limited
1666 to, the value of natural lands for protecting the quality and
1667 quantity of drinking water through natural water filtration and
1668 recharge, contributions to protecting and improving air quality,
1669 benefits to agriculture through increased soil productivity and
1670 preservation of biodiversity, and savings to property and lives
1671 through flood control.

1672 Section 23. Subsection (1) of section 259.04, Florida
1673 Statutes, is amended to read:

1674 259.04 Board; powers and duties.—

1675 (1) For projects and acquisitions selected for purchase
1676 pursuant to ss. 259.035, ~~259.101~~, and 259.105:

1677 (a) The board is given the responsibility, authority, and
1678 power to develop and execute a comprehensive, statewide 5-year
1679 plan to conserve, restore, and protect environmentally
1680 endangered lands, ecosystems, lands necessary for outdoor
1681 recreational needs, and other lands as identified in ss.
1682 259.032, ~~259.101~~, and 259.105. This plan shall be kept current

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1683 through continual reevaluation and revision. The advisory
1684 council or its successor shall assist the board in the
1685 development, reevaluation, and revision of the plan.

1686 (b) The board may enter into contracts with the government
1687 of the United States or any agency or instrumentality thereof;
1688 the state or any county, municipality, district authority, or
1689 political subdivision; or any private corporation, partnership,
1690 association, or person providing for or relating to the
1691 conservation or protection of certain lands in accomplishing the
1692 purposes of this chapter.

1693 (c) Within 45 days after the advisory council or its
1694 successor submits the lists of projects to the board, the board
1695 shall approve, in whole or in part, the lists of projects in the
1696 order of priority in which such projects are presented. To the
1697 greatest extent practicable, projects on the lists shall be
1698 acquired in their approved order of priority.

1699 (d) The board is authorized to acquire, by purchase, gift,
1700 or devise or otherwise, the fee title or any lesser interest of
1701 lands, water areas, and related resources for environmentally
1702 endangered lands.

1703 Section 24. Paragraphs (a) and (b) of subsection (11) and
1704 subsection (15) of section 259.041, Florida Statutes, are
1705 amended to read:

1706 259.041 Acquisition of state-owned lands for preservation,
1707 conservation, and recreation purposes.—

1708 (11) (a) The Legislature finds that, with the increasing
1709 pressures on the natural areas of this state and on open space
1710 suitable for recreational use, the state must develop creative
1711 techniques to maximize the use of acquisition and management

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1712 funds. The Legislature also finds that the state's conservation
1713 and recreational land acquisition agencies should be encouraged
1714 to augment their traditional, fee simple acquisition programs
1715 with the use of alternatives to fee simple acquisition
1716 techniques. Additionally, the Legislature finds that generations
1717 of private landowners have been good stewards of their land,
1718 protecting or restoring native habitats and ecosystems to the
1719 benefit of the natural resources of this state, its heritage,
1720 and its citizens. The Legislature also finds that using
1721 alternatives to fee simple acquisition by public land
1722 acquisition agencies will achieve the following public policy
1723 goals:

1724 1. Allow more lands to be brought under public protection
1725 for preservation, conservation, and recreational purposes with
1726 less expenditure of public funds.

1727 2. Retain, on local government tax rolls, some portion of
1728 or interest in lands which are under public protection.

1729 3. Reduce long-term management costs by allowing private
1730 property owners to continue acting as stewards of their land,
1731 where appropriate.

1732

1733 Therefore, it is the intent of the Legislature that public land
1734 acquisition agencies develop programs to pursue alternatives to
1735 fee simple acquisition and to educate private landowners about
1736 such alternatives and the benefits of such alternatives. It is
1737 also the intent of the Legislature that a portion of the shares
1738 of ~~Preservation 2000~~ and Florida Forever bond proceeds be used
1739 to purchase eligible properties using alternatives to fee simple
1740 acquisition.

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1741 (b) All project applications shall identify, within their
1742 acquisition plans, projects that require a full fee simple
1743 interest to achieve the public policy goals, together with the
1744 reasons full title is determined to be necessary. The state
1745 agencies and the water management districts may use alternatives
1746 to fee simple acquisition to bring the remaining projects in
1747 their acquisition plans under public protection. For the
1748 purposes of this subsection, the term "alternatives to fee
1749 simple acquisition" includes, but is not limited to: purchase of
1750 development rights; obtaining conservation easements; obtaining
1751 flowage easements; purchase of timber rights, mineral rights, or
1752 hunting rights; purchase of agricultural interests or
1753 silvicultural interests; ~~entering into land protection~~
1754 ~~agreements as defined in s. 380.0677(3);~~ fee simple acquisitions
1755 with reservations; creating life estates; or any other
1756 acquisition technique that achieves the public policy goals
1757 listed in paragraph (a). It is presumed that a private landowner
1758 retains the full range of uses for all the rights or interests
1759 in the landowner's land which are not specifically acquired by
1760 the public agency. The lands upon which hunting rights are
1761 specifically acquired pursuant to this paragraph shall be
1762 available for hunting in accordance with the management plan or
1763 hunting regulations adopted by the Florida Fish and Wildlife
1764 Conservation Commission, unless the hunting rights are purchased
1765 specifically to protect activities on adjacent lands.

1766 (15) The board of trustees, by an affirmative vote of at
1767 least three of its members, may direct the department to
1768 purchase lands on an immediate basis using up to 15 percent of
1769 the funds allocated to the department pursuant to s. 259.105 ~~ss.~~

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1770 ~~259.101(3)(a)~~ and ~~259.105~~ for the acquisition of lands that:

1771 (a) Are listed or placed at auction by the Federal
1772 Government as part of the Resolution Trust Corporation sale of
1773 lands from failed savings and loan associations;

1774 (b) Are listed or placed at auction by the Federal
1775 Government as part of the Federal Deposit Insurance Corporation
1776 sale of lands from failed banks; or

1777 (c) Will be developed or otherwise lost to potential public
1778 ownership, or for which federal matching funds will be lost, by
1779 the time the land can be purchased under the program within
1780 which the land is listed for acquisition.

1781
1782 For such acquisitions, the board of trustees may waive or modify
1783 all procedures required for land acquisition pursuant to this
1784 chapter and all competitive bid procedures required pursuant to
1785 chapters 255 and 287. Lands acquired pursuant to this subsection
1786 must, at the time of purchase, be on one of the acquisition
1787 lists established pursuant to this chapter, ~~or~~ or be essential for
1788 water resource development, protection, or restoration, or a
1789 significant portion of the lands must contain natural
1790 communities or plant or animal species that ~~which~~ are listed by
1791 the Florida Natural Areas Inventory as critically imperiled,
1792 imperiled, or rare, or as excellent quality occurrences of
1793 natural communities.

1794 Section 25. Section 259.101, Florida Statutes, is amended
1795 to read:

1796 259.101 Florida Preservation 2000 Act.—

1797 (1) SHORT TITLE.—This section may be cited as the "Florida
1798 Preservation 2000 Act."

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1799 (2) LEGISLATIVE FINDINGS.—The Legislature finds and
1800 declares that:

1801 (a) The alteration and development of Florida's natural
1802 areas to accommodate its rapidly growing population have
1803 contributed to the degradation of water resources, the
1804 fragmentation and destruction of wildlife habitats, the loss of
1805 recreation space, and the diminishment of wetlands and forests.

1806 (b) Imminent development of Florida's remaining natural
1807 areas and continuing increases in land values necessitate an
1808 aggressive program of public land acquisition during the next
1809 decade to preserve the quality of life that attracts so many
1810 people to Florida.

1811 (c) Acquisition of public lands, in fee simple or in any
1812 lesser interest, should be based on a comprehensive assessment
1813 of Florida's natural resources and planned so as to protect the
1814 integrity of ecological systems and to provide multiple
1815 benefits, including preservation of fish and wildlife habitat,
1816 recreation space, and water recharge areas. Governmental
1817 agencies responsible for public land acquisition should work
1818 together to purchase lands jointly and to coordinate individual
1819 purchases within ecological systems.

1820 (d) One of the purposes of the Florida Communities Trust
1821 program is to acquire, protect, and preserve open space and
1822 recreation properties within urban areas where pristine animal
1823 and plant communities no longer exist. These areas are often
1824 overlooked in other programs because of their smaller size and
1825 proximity to developed property. These smaller parcels are,
1826 however, critically important to the quality of life in these
1827 urban areas for the residents who live there as well as to the

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1828 many visitors to the state. The trust shall consider projects
1829 submitted by local governments which further the goals,
1830 objectives, and policies of the conservation, recreation and
1831 open space, or coastal elements of their local comprehensive
1832 plans or which serve to conserve natural resources or resolve
1833 land use conflicts.

1834 (e) South Florida's water supply and unique natural
1835 environment depend on the protection of lands buffering the East
1836 Everglades and the Everglades water conservation areas.

1837
1838 In addition, the Legislature recognizes the conflicting desires
1839 of the citizens of this state to prosper through economic
1840 development and to preserve the natural areas of Florida that
1841 development threatens to claim. The Legislature further
1842 recognizes the urgency of acquiring natural areas in the state
1843 for preservation, yet acknowledges the difficulty of ensuring
1844 adequate funding for accelerated acquisition in light of other
1845 equally critical financial needs of the state. ~~It is the~~
1846 ~~Legislature's desire and intent to fund the implementation of~~
1847 ~~the Florida Preservation 2000 Act for each of the 10 years of~~
1848 ~~the program's duration and to do so in a fiscally responsible~~
1849 ~~manner.~~

1850 (3) TITLE TO CERTAIN PROPERTY ACQUIRED WITH PRESERVATION
1851 2000 BONDS LAND ACQUISITION PROGRAMS SUPPLEMENTED. ~~Less the~~
1852 ~~costs of issuance, the costs of funding reserve accounts, and~~
1853 ~~other costs with respect to the bonds, the proceeds of bonds~~
1854 ~~issued pursuant to this act shall be deposited into the Florida~~
1855 ~~Preservation 2000 Trust Fund created by s. 375.045. In fiscal~~
1856 ~~year 2000-2001, for each Florida Preservation 2000 program~~

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1857 ~~described in paragraphs (a) (g), that portion of each program's~~
1858 ~~total remaining cash balance which, as of June 30, 2000, is in~~
1859 ~~excess of that program's total remaining appropriation balances~~
1860 ~~shall be redistributed by the department and deposited into the~~
1861 ~~Save Our Everglades Trust Fund for land acquisition. For~~
1862 ~~purposes of calculating the total remaining cash balances for~~
1863 ~~this redistribution, the Florida Preservation 2000 Series 2000~~
1864 ~~bond proceeds, including interest thereon, and the fiscal year~~
1865 ~~1999-2000 General Appropriations Act amounts shall be deducted~~
1866 ~~from the remaining cash and appropriation balances,~~
1867 ~~respectively. The remaining proceeds shall be distributed by the~~
1868 ~~Department of Environmental Protection in the following manner:~~

1869 ~~(a) Fifty percent to the Department of Environmental~~
1870 ~~Protection for the purchase of public lands as described in s.~~
1871 ~~259.032. Of this 50 percent, at least one fifth shall be used~~
1872 ~~for the acquisition of coastal lands.~~

1873 ~~(b) Thirty percent to the Department of Environmental~~
1874 ~~Protection for the purchase of water management lands pursuant~~
1875 ~~to s. 373.59, to be distributed among the water management~~
1876 ~~districts as provided in that section. Funds received by each~~
1877 ~~district may also be used for acquisition of lands necessary to~~
1878 ~~implement surface water improvement and management plans or for~~
1879 ~~acquisition of lands necessary to implement the Everglades~~
1880 ~~Construction Project authorized by s. 373.4592.~~

1881 ~~(c) Ten percent to the Department of Environmental~~
1882 ~~Protection to provide land acquisition grants and loans to local~~
1883 ~~governments through the Florida Communities Trust pursuant to~~
1884 ~~part III of chapter 380. From funds allocated to the trust, \$3~~
1885 ~~million annually shall be used by the Division of State Lands~~

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1886 ~~within the Department of Environmental Protection to implement~~
1887 ~~the Green Swamp Land Protection Initiative specifically for the~~
1888 ~~purchase of conservation easements, as defined in s.~~
1889 ~~380.0677(3), of lands, or severable interests or rights in~~
1890 ~~lands, in the Green Swamp Area of Critical State Concern. From~~
1891 ~~funds allocated to the trust, \$3 million annually shall be used~~
1892 ~~by the Monroe County Comprehensive Plan Land Authority~~
1893 ~~specifically for the purchase of a real property interest in~~
1894 ~~those lands subject to the Rate of Growth Ordinances adopted by~~
1895 ~~local governments in Monroe County or those lands within the~~
1896 ~~boundary of an approved Conservation and Recreation Lands~~
1897 ~~project located within the Florida Keys or Key West Areas of~~
1898 ~~Critical State Concern; however, title to lands acquired within~~
1899 ~~the boundary of an approved Conservation and Recreation Lands~~
1900 ~~project may, in accordance with an approved joint acquisition~~
1901 ~~agreement, vest in the Board of Trustees of the Internal~~
1902 ~~Improvement Trust Fund. Of the remaining funds, one half shall~~
1903 ~~be matched by local governments on a dollar-for-dollar basis. To~~
1904 ~~the extent allowed by federal requirements for the use of bond~~
1905 ~~proceeds, the trust shall expend Preservation 2000 funds to~~
1906 ~~carry out the purposes of part III of chapter 380.~~

1907 ~~(d) Two and nine-tenths percent to the Department of~~
1908 ~~Environmental Protection for the purchase of inholdings and~~
1909 ~~additions to state parks. For the purposes of this paragraph,~~
1910 ~~"state park" means all real property in the state under the~~
1911 ~~jurisdiction of the Division of Recreation and Parks of the~~
1912 ~~department, or which may come under its jurisdiction.~~

1913 ~~(e) Two and nine-tenths percent to the Florida Forest~~
1914 ~~Service of the Department of Agriculture and Consumer Services~~

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1915 ~~to fund the acquisition of state forest inholdings and additions~~
1916 ~~pursuant to s. 589.07.~~

1917 ~~(f) Two and nine-tenths percent to the Fish and Wildlife~~
1918 ~~Conservation Commission to fund the acquisition of inholdings~~
1919 ~~and additions to lands managed by the commission which are~~
1920 ~~important to the conservation of fish and wildlife.~~

1921 ~~(g) One and three-tenths percent to the Department of~~
1922 ~~Environmental Protection for the Florida Greenways and Trails~~
1923 ~~Program, to acquire greenways and trails or greenways and trails~~
1924 ~~systems pursuant to chapter 260, including, but not limited to,~~
1925 ~~abandoned railroad rights of way and the Florida National Scenic~~
1926 ~~Trail.~~

1927
1928 ~~Local governments may use federal grants or loans, private~~
1929 ~~donations, or environmental mitigation funds, including~~
1930 ~~environmental mitigation funds required pursuant to s. 338.250,~~
1931 ~~for any part or all of any local match required for the purposes~~
1932 ~~described in this subsection. Bond proceeds allocated pursuant~~
1933 ~~to paragraph (c) may be used to purchase lands on the priority~~
1934 ~~lists developed pursuant to s. 259.035. Title to lands purchased~~
1935 ~~pursuant to former paragraphs (a), (d), (e), (f), or and (g) of~~
1936 ~~this subsection, Florida Statutes 2014, shall be vested in the~~
1937 ~~Board of Trustees of the Internal Improvement Trust Fund. Title~~
1938 ~~to lands purchased pursuant to former paragraph (c) of this~~
1939 ~~subsection, Florida Statutes 2014, may be vested in the Board of~~
1940 ~~Trustees of the Internal Improvement Trust Fund. The board of~~
1941 ~~trustees shall hold title to land protection agreements and~~
1942 ~~conservation easements that were ~~or will be~~ acquired pursuant to~~
1943 ~~former s. 380.0677, Florida Statutes 2014, and the Southwest~~

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1944 Florida Water Management District and the St. Johns River Water
1945 Management District shall monitor such agreements and easements
1946 within their respective districts until the state assumes this
1947 responsibility.

1948 ~~(4) PROJECT CRITERIA.~~

1949 ~~(a) Proceeds of bonds issued pursuant to this act and~~
1950 ~~distributed pursuant to paragraphs (3)(a) and (b) shall be spent~~
1951 ~~only on projects which meet at least one of the following~~
1952 ~~criteria, as determined pursuant to paragraphs (b) and (c):~~

1953 ~~1. A significant portion of the land in the project is in~~
1954 ~~imminent danger of development, in imminent danger of loss of~~
1955 ~~its significant natural attributes, or in imminent danger of~~
1956 ~~subdivision which will result in multiple ownership and may make~~
1957 ~~acquisition of the project more costly or less likely to be~~
1958 ~~accomplished;~~

1959 ~~2. Compelling evidence exists that the land is likely to be~~
1960 ~~developed during the next 12 months, or appraisals made during~~
1961 ~~the past 5 years indicate an escalation in land value at an~~
1962 ~~average rate that exceeds the average rate of interest likely to~~
1963 ~~be paid on the bonds;~~

1964 ~~3. A significant portion of the land in the project serves~~
1965 ~~to protect or recharge groundwater and to protect other valuable~~
1966 ~~natural resources or provide space for natural resource based~~
1967 ~~recreation;~~

1968 ~~4. The project can be purchased at 80 percent of appraised~~
1969 ~~value or less;~~

1970 ~~5. A significant portion of the land in the project serves~~
1971 ~~as habitat for endangered, threatened, or rare species or serves~~
1972 ~~to protect natural communities which are listed by the Florida~~

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1973 ~~Natural Areas Inventory as critically imperiled, imperiled, or~~
1974 ~~rare, or as excellent quality occurrences of natural~~
1975 ~~communities; or~~

1976 ~~6. A significant portion of the land serves to preserve~~
1977 ~~important archaeological or historical sites.~~

1978 ~~(b) Each year that bonds are to be issued pursuant to this~~
1979 ~~act, the Land Acquisition and Management Advisory Council shall~~
1980 ~~review that year's approved Conservation and Recreation Lands~~
1981 ~~priority list and shall, by the first board meeting in February,~~
1982 ~~present to the Board of Trustees of the Internal Improvement~~
1983 ~~Trust Fund for approval a listing of projects on the list which~~
1984 ~~meet one or more of the criteria listed in paragraph (a). The~~
1985 ~~board may remove projects from the list developed pursuant to~~
1986 ~~this paragraph, but may not add projects.~~

1987 ~~(c) Each year that bonds are to be issued pursuant to this~~
1988 ~~act, each water management district governing board shall review~~
1989 ~~the lands on its current year's Save Our Rivers 5-year plan and~~
1990 ~~shall, by January 15, adopt a listing of projects from the plan~~
1991 ~~which meet one or more of the criteria listed in paragraph (a).~~

1992 ~~(d) In the acquisition of coastal lands pursuant to~~
1993 ~~paragraph (3) (a), the following additional criteria shall also~~
1994 ~~be considered:~~

1995 ~~1. The value of acquiring coastal high-hazard parcels,~~
1996 ~~consistent with hazard mitigation and postdisaster redevelopment~~
1997 ~~policies, in order to minimize the risk to life and property and~~
1998 ~~to reduce the need for future disaster assistance.~~

1999 ~~2. The value of acquiring beachfront parcels, irrespective~~
2000 ~~of size, to provide public access and recreational opportunities~~
2001 ~~in highly developed urban areas.~~

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2002 ~~3. The value of acquiring identified parcels the~~
2003 ~~development of which would adversely affect coastal resources.~~

2004
2005 ~~When a nonprofit environmental organization which is tax exempt~~
2006 ~~pursuant to s. 501(c)(3) of the United States Internal Revenue~~
2007 ~~Code sells land to the state, such land at the time of such sale~~
2008 ~~shall be deemed to meet one or more of the criteria listed in~~
2009 ~~paragraph (a) if such land meets one or more of the criteria at~~
2010 ~~the time the organization purchases it. Listings of projects~~
2011 ~~compiled pursuant to paragraphs (b) and (c) may be revised to~~
2012 ~~include projects on the Conservation and Recreation Lands~~
2013 ~~priority list or in a water management district's 5-year plan~~
2014 ~~which come under the criteria in paragraph (a) after the dates~~
2015 ~~specified in paragraph (b) or paragraph (c). The requirement of~~
2016 ~~paragraph (3)(a) regarding coastal lands is met as long as an~~
2017 ~~average of one-fifth of the cumulative proceeds allocated~~
2018 ~~through fiscal year 1999-2000 pursuant to that paragraph is used~~
2019 ~~to purchase coastal lands.~~

2020 ~~(c) The Legislature finds that the Florida Preservation~~
2021 ~~2000 Program has provided financial resources that have enabled~~
2022 ~~the acquisition of significant amounts of land for public~~
2023 ~~ownership in the first 7 years of the program's existence. In~~
2024 ~~the remaining years of the Florida Preservation 2000 Program,~~
2025 ~~agencies that receive funds are encouraged to better coordinate~~
2026 ~~their expenditures so that future acquisitions, when combined~~
2027 ~~with previous acquisitions, will form more complete patterns of~~
2028 ~~protection for natural areas and functioning ecosystems to~~
2029 ~~better accomplish the intent of paragraph (2)(c).~~

2030 ~~(f) The Legislature intends that, in the remaining years of~~

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2031 ~~the Florida Preservation 2000 Program, emphasis be given to the~~
2032 ~~completion of projects in which one or more parcels have already~~
2033 ~~been acquired and to the acquisition of lands containing~~
2034 ~~ecological resources which are either not represented or~~
2035 ~~underrepresented on lands currently in public ownership. The~~
2036 ~~Legislature also intends that future acquisitions under the~~
2037 ~~Florida Preservation 2000 Program be limited to projects on the~~
2038 ~~current project lists, or any additions to the list as~~
2039 ~~determined and prioritized by the study, or those projects that~~
2040 ~~can reasonably be expected to be acquired by the end of the~~
2041 ~~Florida Preservation 2000 Program.~~

2042 (4) FLORIDA FOREST SERVICE FUND USE. ~~(5) Any funds received~~
2043 ~~by the Florida Forest Service from the Preservation 2000 Trust~~
2044 ~~Fund pursuant to paragraph (3) (c) shall be used only to pay the~~
2045 ~~cost of the acquisition of lands in furtherance of outdoor~~
2046 ~~recreation and natural resources conservation in this state. The~~
2047 ~~administration and use of any funds received by the Florida~~
2048 ~~Forest Service from the Preservation 2000 Trust Fund will be~~
2049 ~~subject to such terms and conditions imposed thereon by the~~
2050 ~~agency of the state responsible for the issuance of the revenue~~
2051 ~~bonds, the proceeds of which are deposited in the Preservation~~
2052 ~~2000 Trust Fund, including restrictions imposed to ensure that~~
2053 ~~the interest on any such revenue bonds issued by the state as~~
2054 ~~tax exempt revenue bonds will not be included in the gross~~
2055 ~~income of the holders of such bonds for federal income tax~~
2056 ~~purposes. All deeds or leases with respect to any real property~~
2057 ~~acquired with Preservation 2000 funds must received by the~~
2058 ~~Florida Forest Service from the Preservation 2000 Trust Fund~~
2059 ~~shall contain sufficient such covenants and restrictions as are~~

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2060 ~~sufficient~~ to ensure that the use of such real property ~~at all~~
2061 ~~times~~ complies with s. 375.051 and s. 9, Art. XII of the 1968
2062 Constitution of Florida, ~~and shall contain~~ reverter clauses
2063 providing for the reversion of title to such property to the
2064 Board of Trustees of the Internal Improvement Trust Fund or, in
2065 the case of a lease of such property, providing for termination
2066 of the lease upon a failure to use the property conveyed thereby
2067 for such purposes.

2068 (5) ~~(6)~~ DISPOSITION OF LANDS.—

2069 (a) Any lands acquired pursuant to former paragraphs
2070 ~~paragraph (3) (a), paragraph (3) (c), paragraph (3) (d), paragraph~~
2071 ~~(3) (e), paragraph (3) (f), or paragraph (3) (g)~~ of this section,
2072 Florida Statutes 2014, if title to such lands is vested in the
2073 Board of Trustees of the Internal Improvement Trust Fund, may be
2074 disposed of by the Board of Trustees of the Internal Improvement
2075 Trust Fund in accordance with the provisions and procedures set
2076 forth in s. 253.034(6), and lands acquired pursuant to former
2077 paragraph (3) (b) of this section, Florida Statutes 2014, may be
2078 disposed of by the owning water management district in
2079 accordance with the procedures and provisions set forth in ss.
2080 373.056 and 373.089 provided such disposition also shall satisfy
2081 the requirements of paragraphs (b) and (c).

2082 (b) Before land acquired with Preservation 2000 funds may
2083 be surplus as required by s. 253.034(6), ~~or~~ determined to be
2084 no longer required for its purposes under s. 373.056(4), as
2085 ~~whichever may be~~ applicable, there shall first be a
2086 determination by the Board of Trustees of the Internal
2087 Improvement Trust Fund, or, in the case of water management
2088 district lands, by the owning water management district, that

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2089 such land no longer needs to be preserved in furtherance of the
2090 intent of the Florida Preservation 2000 Act. Any lands eligible
2091 to be disposed of under this procedure also may be used to
2092 acquire other lands through an exchange of lands ~~if, provided~~
2093 such lands obtained in an exchange are described in the same
2094 paragraph of former subsection (3) of this section, Florida
2095 Statutes 2014, as the lands disposed.

2096 ~~(c) Notwithstanding paragraphs (a) and (b), no such~~
2097 ~~disposition of land shall be made if such disposition would have~~
2098 ~~the effect of causing all or any portion of the interest on any~~
2099 ~~revenue bonds issued to fund the Florida Preservation 2000 Act~~
2100 ~~to lose their exclusion from gross income for purposes of~~
2101 ~~federal income taxation. Any Revenue derived from the disposal~~
2102 ~~of such lands acquired with Preservation 2000 funds may not be~~
2103 ~~used for any purpose except for deposit into the Florida~~
2104 ~~Preservation 2000 Trust Fund, or the Florida Forever Trust Fund~~
2105 ~~within the Department of Environmental Protection, for recredit~~
2106 ~~to the share held under former subsection (3) of this section,~~
2107 Florida Statutes 2014, in which such disposed land is described.

2108 (6) ~~(7)~~ ALTERNATE USES OF ACQUIRED LANDS.—

2109 (a) The Board of Trustees of the Internal Improvement Trust
2110 Fund, or, in the case of water management district lands, the
2111 owning water management district, may authorize the granting of
2112 a lease, easement, or license for the use of any lands acquired
2113 pursuant to former subsection (3) of this section, Florida
2114 Statutes 2014, for any governmental use permitted by s. 17, Art.
2115 IX of the State Constitution of 1885, as adopted by s. 9(a),
2116 Art. XII of the State Constitution, and any other incidental
2117 public or private use that is determined by the board or the

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2118 owning water management district to be compatible with the
2119 purposes for which such lands were acquired.

2120 (b) Any existing lease, easement, or license acquired for
2121 incidental public or private use on, under, or across any lands
2122 acquired pursuant to former subsection (3) of this section,
2123 Florida Statutes 2014, shall be presumed not to be incompatible
2124 with the purposes for which such lands were acquired.

2125 ~~(c) Notwithstanding the provisions of paragraph (a), no~~
2126 ~~such lease, easement, or license shall be entered into by the~~
2127 ~~Department of Environmental Protection or other appropriate~~
2128 ~~state agency if the granting of such lease, easement, or license~~
2129 ~~would adversely affect the exclusion of the interest on any~~
2130 ~~revenue bonds issued to fund the acquisition of the affected~~
2131 ~~lands from gross income for federal income tax purposes, as~~
2132 ~~described in s. 375.045(4).~~

2133 (7) ALTERNATIVES TO FEE SIMPLE ACQUISITION.~~-(8)~~

2134 (a) The Legislature finds that, with the increasing
2135 pressures on the natural areas of this state, the state must
2136 develop creative techniques to maximize the use of acquisition
2137 and management moneys. The Legislature ~~also~~ finds that the
2138 state's environmental land-buying agencies should be encouraged
2139 to augment their traditional, fee simple acquisition programs
2140 with the use of alternatives to fee simple acquisition
2141 techniques. The Legislature also finds that using alternatives
2142 to fee simple acquisition by public land-buying agencies will
2143 achieve the following public policy goals:

2144 1. Allow more lands to be brought under public protection
2145 for preservation, conservation, and recreational purposes at
2146 less expense using public funds.

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2147 2. Retain, on local government tax rolls, some portion of
2148 or interest in lands that ~~which~~ are under public protection.

2149 3. Reduce long-term management costs by allowing private
2150 property owners to continue acting as stewards of the land, as
2151 ~~where~~ appropriate.

2152
2153 Therefore, it is the intent of the Legislature that public land-
2154 buying agencies develop programs to pursue alternatives to fee
2155 simple acquisition and to educate private landowners about such
2156 alternatives and the benefits of such alternatives. It also is
2157 the intent of the Legislature that the department and the water
2158 management districts spend a portion of their shares of
2159 Preservation 2000 bond proceeds to purchase eligible properties
2160 using alternatives to fee simple acquisition. Finally, it is the
2161 intent of the Legislature that public agencies acquire lands in
2162 fee simple for public access and recreational activities. Lands
2163 protected using alternatives to fee simple acquisition
2164 techniques may ~~shall~~ not be accessible to the public unless such
2165 access is negotiated with and agreed to by the private
2166 landowners who retain interests in such lands.

2167 (b) The Land Acquisition Advisory Council and the water
2168 management districts shall identify, within their 1997
2169 acquisition plans, those projects that ~~which~~ require a full fee
2170 simple interest to achieve the public policy goals, along with
2171 the reasons why full title is determined to be necessary. The
2172 council and the water management districts may use alternatives
2173 to fee simple acquisition to bring the remaining projects in
2174 their acquisition plans under public protection. For the
2175 purposes of this subsection, the term "alternatives to fee

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2176 simple acquisition" includes the, ~~but is not limited to:~~
2177 purchase of development rights; conservation easements; flowage
2178 easements; the purchase of timber rights, mineral rights, or
2179 hunting rights; the purchase of agricultural interests or
2180 silvicultural interests; land protection agreements; fee simple
2181 acquisitions with reservations; or any other acquisition
2182 technique that ~~which~~ achieves the public policy goals identified
2183 ~~listed~~ in paragraph (a). It is presumed that a private landowner
2184 retains the full range of uses for all the rights or interests
2185 in the landowner's land which are not specifically acquired by
2186 the public agency. Life estates and fee simple acquisitions with
2187 leaseback provisions do ~~shall~~ not qualify as an alternative to
2188 fee simple acquisition under this subsection, although the
2189 department and the districts are encouraged to use such
2190 techniques if ~~where~~ appropriate.

2191 (c) The department and each water management district shall
2192 implement initiatives to use alternatives to fee simple
2193 acquisition and to educate private landowners about such
2194 alternatives. These initiatives must ~~shall~~ include at least two
2195 acquisitions a year by the department and each water management
2196 district utilizing alternatives to fee simple.

2197 (d) The Legislature finds that the lack of direct sales
2198 comparison information has served as an impediment to successful
2199 implementation of alternatives to fee simple acquisition. It is
2200 the intent of the Legislature that, in the absence of direct
2201 comparable sales information, appraisals of alternatives to fee
2202 simple acquisitions be based on the difference between the full
2203 fee simple valuation and the value of the interests remaining
2204 with the seller after acquisition.

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2205 (e) The public agency ~~that~~ ~~which~~ has been assigned
2206 management responsibility shall inspect and monitor any less-
2207 than-fee-simple interest according to the terms of the purchase
2208 agreement relating to such interest.

2209 (f) The department and the water management districts may
2210 enter into joint acquisition agreements to jointly fund the
2211 purchase of lands using alternatives to fee simple techniques.

2212 (8) PUBLIC RECREATIONAL USE.—An agency or water management
2213 district that acquired lands using Preservation 2000 funds
2214 distributed pursuant to former subsection (3) of this section,
2215 Florida Statutes 2014, shall manage such lands to make them
2216 available for public recreational use if the recreational use
2217 does not interfere with the protection of natural resource
2218 values. The agency or district may enter into an agreement with
2219 the department or another appropriate state agency to transfer
2220 management authority or lease to such agencies lands purchased
2221 with Preservation 2000 funds for the purpose of managing the
2222 lands to make them available for public recreational use. The
2223 water management districts and the department shall take action
2224 to control the growth of nonnative invasive plant species on
2225 lands they manage which were purchased with Preservation 2000
2226 funds.

2227 Section 26. Section 259.105, Florida Statutes, is amended
2228 to read:

2229 259.105 The Florida Forever Act.—

2230 (1) This section may be cited as the "Florida Forever Act."

2231 (2) (a) The Legislature finds and declares that:

2232 1. Land acquisition programs have provided tremendous
2233 financial resources for purchasing environmentally significant

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2234 lands to protect those lands from imminent development or
2235 alteration, thereby ensuring present and future generations'
2236 access to important waterways, open spaces, and recreation and
2237 conservation lands.

2238 2. The continued alteration and development of Florida's
2239 natural and rural areas to accommodate the state's growing
2240 population have contributed to the degradation of water
2241 resources, the fragmentation and destruction of wildlife
2242 habitats, the loss of outdoor recreation space, and the
2243 diminishment of wetlands, forests, working landscapes, and
2244 coastal open space.

2245 3. The potential development of Florida's remaining natural
2246 areas and escalation of land values require government efforts
2247 to restore, bring under public protection, or acquire lands and
2248 water areas to preserve the state's essential ecological
2249 functions and invaluable quality of life.

2250 4. It is essential to protect the state's ecosystems by
2251 promoting a more efficient use of land, to ensure opportunities
2252 for viable agricultural activities on working lands, and to
2253 promote vital rural and urban communities that support and
2254 produce development patterns consistent with natural resource
2255 protection.

2256 5. Florida's groundwater, surface waters, and springs are
2257 under tremendous pressure due to population growth and economic
2258 expansion and require special protection and restoration
2259 efforts, including the protection of uplands and springsheds
2260 that provide vital recharge to aquifer systems and are critical
2261 to the protection of water quality and water quantity of the
2262 aquifers and springs. To ensure that sufficient quantities of

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2263 water are available to meet the current and future needs of the
2264 natural systems and citizens of the state, and assist in
2265 achieving the planning goals of the department and the water
2266 management districts, water resource development projects on
2267 public lands, where compatible with the resource values of and
2268 management objectives for the lands, are appropriate.

2269 6. The needs of urban, suburban, and small communities in
2270 Florida for high-quality outdoor recreational opportunities,
2271 greenways, trails, and open space have not been fully met by
2272 previous acquisition programs. Through such programs as the
2273 Florida Communities Trust and the Florida Recreation Development
2274 Assistance Program, the state shall place additional emphasis on
2275 acquiring, protecting, preserving, and restoring open space,
2276 ecological greenways, and recreation properties within urban,
2277 suburban, and rural areas where pristine natural communities or
2278 water bodies no longer exist because of the proximity of
2279 developed property.

2280 7. Many of Florida's unique ecosystems, such as the Florida
2281 Everglades, are facing ecological collapse due to Florida's
2282 burgeoning population growth and other economic activities. To
2283 preserve these valuable ecosystems for future generations,
2284 essential parcels of land must be acquired to facilitate
2285 ecosystem restoration.

2286 8. Access to public lands to support a broad range of
2287 outdoor recreational opportunities and the development of
2288 necessary infrastructure, where compatible with the resource
2289 values of and management objectives for such lands, promotes an
2290 appreciation for Florida's natural assets and improves the
2291 quality of life.

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2292 9. Acquisition of lands, in fee simple, less-than-fee
2293 interest, or other techniques shall be based on a comprehensive
2294 science-based assessment of Florida's natural resources which
2295 targets essential conservation lands by prioritizing all current
2296 and future acquisitions based on a uniform set of data and
2297 planned so as to protect the integrity and function of
2298 ecological systems and working landscapes, and provide multiple
2299 benefits, including preservation of fish and wildlife habitat,
2300 recreation space for urban and rural areas, and the restoration
2301 of natural water storage, flow, and recharge.

2302 10. The state has embraced performance-based program
2303 budgeting as a tool to evaluate the achievements of publicly
2304 funded agencies, build in accountability, and reward those
2305 agencies which are able to consistently achieve quantifiable
2306 goals. While previous and existing state environmental programs
2307 have achieved varying degrees of success, few of these programs
2308 can be evaluated as to the extent of their achievements,
2309 primarily because performance measures, standards, outcomes, and
2310 goals were not established at the outset. Therefore, the Florida
2311 Forever program shall be developed and implemented in the
2312 context of measurable state goals and objectives.

2313 11. The state must play a major role in the recovery and
2314 management of its imperiled species through the acquisition,
2315 restoration, enhancement, and management of ecosystems that can
2316 support the major life functions of such species. It is the
2317 intent of the Legislature to support local, state, and federal
2318 programs that result in net benefit to imperiled species habitat
2319 by providing public and private land owners meaningful
2320 incentives for acquiring, restoring, managing, and repopulating

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2321 habitats for imperiled species. It is the further intent of the
2322 Legislature that public lands, both existing and to be acquired,
2323 identified by the lead land managing agency, in consultation
2324 with the Florida Fish and Wildlife Conservation Commission for
2325 animals or the Department of Agriculture and Consumer Services
2326 for plants, as habitat or potentially restorable habitat for
2327 imperiled species, be restored, enhanced, managed, and
2328 repopulated as habitat for such species to advance the goals and
2329 objectives of imperiled species management consistent with the
2330 purposes for which such lands are acquired without restricting
2331 other uses identified in the management plan. It is also the
2332 intent of the Legislature that of the proceeds distributed
2333 pursuant to subsection (3), additional consideration be given to
2334 acquisitions that achieve a combination of conservation goals,
2335 including the restoration, enhancement, management, or
2336 repopulation of habitat for imperiled species. The Acquisition
2337 and Restoration Council, in addition to the criteria in
2338 subsection (9), shall give weight to projects that include
2339 acquisition, restoration, management, or repopulation of habitat
2340 for imperiled species. The term "imperiled species" as used in
2341 this chapter and chapter 253, means plants and animals that are
2342 federally listed under the Endangered Species Act, or state-
2343 listed by the Fish and Wildlife Conservation Commission or the
2344 Department of Agriculture and Consumer Services.

2345 a. As part of the state's role, all state lands that have
2346 imperiled species habitat shall include as a consideration in
2347 management plan development the restoration, enhancement,
2348 management, and repopulation of such habitats. In addition, the
2349 lead land managing agency of such state lands may use fees

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2350 received from public or private entities for projects to offset
2351 adverse impacts to imperiled species or their habitat in order
2352 to restore, enhance, manage, repopulate, or acquire land and to
2353 implement land management plans developed under s. 253.034 or a
2354 land management prospectus developed and implemented under this
2355 chapter. Such fees shall be deposited into a foundation or fund
2356 created by each land management agency under s. 379.223, s.
2357 589.012, or s. 259.032(9)(c) ~~s. 259.032(11)(e)~~, to be used
2358 solely to restore, manage, enhance, repopulate, or acquire
2359 imperiled species habitat.

2360 b. Where habitat or potentially restorable habitat for
2361 imperiled species is located on state lands, the Fish and
2362 Wildlife Conservation Commission and the Department of
2363 Agriculture and Consumer Services shall be included on any
2364 advisory group required under chapter 253, and the short-term
2365 and long-term management goals required under chapter 253 must
2366 advance the goals and objectives of imperiled species management
2367 consistent with the purposes for which the land was acquired
2368 without restricting other uses identified in the management
2369 plan.

2370 12. There is a need to change the focus and direction of
2371 the state's major land acquisition programs and to extend
2372 funding and bonding capabilities, so that future generations may
2373 enjoy the natural resources of this state.

2374 (b) The Legislature recognizes that acquisition of lands in
2375 fee simple is only one way to achieve the aforementioned goals
2376 and encourages the use of less-than-fee interests, other
2377 techniques, and the development of creative partnerships between
2378 governmental agencies and private landowners. Such partnerships

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2379 may include those that advance the restoration, enhancement,
2380 management, or repopulation of imperiled species habitat on
2381 state lands as provided for in subparagraph (a)11. Easements
2382 acquired pursuant to s. 570.71(2) (a) and (b), land protection
2383 agreements, and nonstate funded tools such as rural land
2384 stewardship areas, sector planning, and mitigation should be
2385 used, where appropriate, to bring environmentally sensitive
2386 tracts under an acceptable level of protection at a lower
2387 financial cost to the public, and to provide private landowners
2388 with the opportunity to enjoy and benefit from their property.

2389 (c) Public agencies or other entities that receive funds
2390 under this section shall coordinate their expenditures so that
2391 project acquisitions, when combined with acquisitions under
2392 Florida Forever, Preservation 2000, Save Our Rivers, the Florida
2393 Communities Trust, other public land acquisition programs, and
2394 the techniques, partnerships, and tools referenced in
2395 subparagraph (a)11. and paragraph (b), are used to form more
2396 complete patterns of protection for natural areas, ecological
2397 greenways, and functioning ecosystems, to better accomplish the
2398 intent of this section.

2399 (d) A long-term financial commitment to restoring,
2400 enhancing, and managing Florida's public lands in order to
2401 implement land management plans developed under s. 253.034 or a
2402 land management prospectus developed and implemented under this
2403 chapter must accompany any land acquisition program to ensure
2404 that the natural resource values of such lands are restored,
2405 enhanced, managed, and protected; that the public enjoys the
2406 lands to their fullest potential; and that the state achieves
2407 the full benefits of its investment of public dollars.

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2408 Innovative strategies such as public-private partnerships and
2409 interagency planning and sharing of resources shall be used to
2410 achieve the state's management goals.

2411 (e) With limited dollars available for restoration,
2412 enhancement, management, and acquisition of land and water areas
2413 and for providing long-term management and capital improvements,
2414 a competitive selection process shall select those projects best
2415 able to meet the goals of Florida Forever and maximize the
2416 efficient use of the program's funding.

2417 (f) To ensure success and provide accountability to the
2418 citizens of this state, it is the intent of the Legislature that
2419 any cash or bond proceeds used pursuant to this section be used
2420 to implement the goals and objectives recommended by a
2421 comprehensive science-based assessment and approved by the Board
2422 of Trustees of the Internal Improvement Trust Fund and the
2423 Legislature.

2424 (g) As it has with previous land acquisition programs, the
2425 Legislature recognizes the desires of the residents of this
2426 state to prosper through economic development and to preserve,
2427 restore, and manage the state's natural areas and recreational
2428 open space. The Legislature further recognizes the urgency of
2429 restoring the natural functions, including wildlife and
2430 imperiled species habitat functions, of public lands or water
2431 bodies before they are degraded to a point where recovery may
2432 never occur, yet acknowledges the difficulty of ensuring
2433 adequate funding for restoration, enhancement, and management
2434 efforts in light of other equally critical financial needs of
2435 the state. It is the Legislature's desire and intent to fund the
2436 implementation of this section and to do so in a fiscally

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2437 responsible manner, by issuing bonds to be repaid with
2438 documentary stamp tax or other revenue sources, including those
2439 identified in subparagraph (a)11.

2440 (h) The Legislature further recognizes the important role
2441 that many of our state and federal military installations
2442 contribute to protecting and preserving Florida's natural
2443 resources as well as our economic prosperity. Where the state's
2444 land conservation plans overlap with the military's need to
2445 protect lands, waters, and habitat to ensure the sustainability
2446 of military missions, it is the Legislature's intent that
2447 agencies receiving funds under this program cooperate with our
2448 military partners to protect and buffer military installations
2449 and military airspace, by:

2450 1. Protecting habitat on nonmilitary land for any species
2451 found on military land that is designated as threatened or
2452 endangered, or is a candidate for such designation under the
2453 Endangered Species Act or any Florida statute;

2454 2. Protecting areas underlying low-level military air
2455 corridors or operating areas;

2456 3. Protecting areas identified as clear zones, accident
2457 potential zones, and air installation compatible use buffer
2458 zones delineated by our military partners; and

2459 4. Providing the military with technical assistance to
2460 restore, enhance, and manage military land as habitat for
2461 imperiled species or species designated as threatened or
2462 endangered, or a candidate for such designation, and for the
2463 recovery or reestablishment of such species.

2464 (3) Less the costs of issuing and the costs of funding
2465 reserve accounts and other costs associated with bonds, the

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2466 proceeds of cash payments or bonds issued pursuant to this
2467 section shall be deposited into the Florida Forever Trust Fund
2468 created by s. 259.1051. The proceeds shall be distributed by the
2469 Department of Environmental Protection in the following manner:

2470 (a) Thirty percent to the Department of Environmental
2471 Protection for the acquisition of lands and capital project
2472 expenditures necessary to implement the water management
2473 districts' priority lists developed pursuant to s. 373.199. The
2474 funds are to be distributed to the water management districts as
2475 provided in subsection (11). A minimum of 50 percent of the
2476 total funds provided over the life of the Florida Forever
2477 program pursuant to this paragraph shall be used for the
2478 acquisition of lands.

2479 (b) Thirty-five percent to the Department of Environmental
2480 Protection for the acquisition of lands and capital project
2481 expenditures described in this section. Of the proceeds
2482 distributed pursuant to this paragraph, it is the intent of the
2483 Legislature that an increased priority be given to those
2484 acquisitions which achieve a combination of conservation goals,
2485 including protecting Florida's water resources and natural
2486 groundwater recharge. At a minimum, 3 percent, and no more than
2487 10 percent, of the funds allocated pursuant to this paragraph
2488 shall be spent on capital project expenditures identified during
2489 the time of acquisition which meet land management planning
2490 activities necessary for public access.

2491 (c) Twenty-one percent to the Department of Environmental
2492 Protection for use by the Florida Communities Trust for the
2493 purposes of part III of chapter 380, as described and limited by
2494 this subsection, and grants to local governments or nonprofit

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2495 environmental organizations that are tax-exempt under s.
2496 501(c)(3) of the United States Internal Revenue Code for the
2497 acquisition of community-based projects, urban open spaces,
2498 parks, and greenways to implement local government comprehensive
2499 plans. From funds available to the trust and used for land
2500 acquisition, 75 percent shall be matched by local governments on
2501 a dollar-for-dollar basis. The Legislature intends that the
2502 Florida Communities Trust emphasize funding projects in low-
2503 income or otherwise disadvantaged communities and projects that
2504 provide areas for direct water access and water-dependent
2505 facilities that are open to the public and offer public access
2506 by vessels to waters of the state, including boat ramps and
2507 associated parking and other support facilities. At least 30
2508 percent of the total allocation provided to the trust shall be
2509 used in Standard Metropolitan Statistical Areas, but one-half of
2510 that amount shall be used in localities in which the project
2511 site is located in built-up commercial, industrial, or mixed-use
2512 areas and functions to intersperse open spaces within congested
2513 urban core areas. From funds allocated to the trust, no less
2514 than 5 percent shall be used to acquire lands for recreational
2515 trail systems, provided that in the event these funds are not
2516 needed for such projects, they will be available for other trust
2517 projects. Local governments may use federal grants or loans,
2518 private donations, or environmental mitigation funds, including
2519 environmental mitigation funds required pursuant to s. 338.250,
2520 for any part or all of any local match required for acquisitions
2521 funded through the Florida Communities Trust. Any lands
2522 purchased by nonprofit organizations using funds allocated under
2523 this paragraph must provide for such lands to remain permanently

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2524 in public use through a reversion of title to local or state
2525 government, conservation easement, or other appropriate
2526 mechanism. Projects funded with funds allocated to the trust
2527 shall be selected in a competitive process measured against
2528 criteria adopted in rule by the trust.

2529 (d) Two percent to the Department of Environmental
2530 Protection for grants pursuant to s. 375.075.

2531 (e) One and five-tenths percent to the Department of
2532 Environmental Protection for the purchase of inholdings and
2533 additions to state parks and for capital project expenditures as
2534 described in this section. At a minimum, 1 percent, and no more
2535 than 10 percent, of the funds allocated pursuant to this
2536 paragraph shall be spent on capital project expenditures
2537 identified during the time of acquisition which meet land
2538 management planning activities necessary for public access. For
2539 the purposes of this paragraph, "state park" means any real
2540 property in the state which is under the jurisdiction of the
2541 Division of Recreation and Parks of the department, or which may
2542 come under its jurisdiction.

2543 (f) One and five-tenths percent to the Florida Forest
2544 Service of the Department of Agriculture and Consumer Services
2545 to fund the acquisition of state forest inholdings and additions
2546 pursuant to s. 589.07, the implementation of reforestation plans
2547 or sustainable forestry management practices, and for capital
2548 project expenditures as described in this section. At a minimum,
2549 1 percent, and no more than 10 percent, of the funds allocated
2550 for the acquisition of inholdings and additions pursuant to this
2551 paragraph shall be spent on capital project expenditures
2552 identified during the time of acquisition which meet land

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2553 management planning activities necessary for public access.

2554 (g) One and five-tenths percent to the Fish and Wildlife
2555 Conservation Commission to fund the acquisition of inholdings
2556 and additions to lands managed by the commission which are
2557 important to the conservation of fish and wildlife and for
2558 capital project expenditures as described in this section. At a
2559 minimum, 1 percent, and no more than 10 percent, of the funds
2560 allocated pursuant to this paragraph shall be spent on capital
2561 project expenditures identified during the time of acquisition
2562 which meet land management planning activities necessary for
2563 public access.

2564 (h) One and five-tenths percent to the Department of
2565 Environmental Protection for the Florida Greenways and Trails
2566 Program, to acquire greenways and trails or greenways and trail
2567 systems pursuant to chapter 260, including, but not limited to,
2568 abandoned railroad rights-of-way and the Florida National Scenic
2569 Trail and for capital project expenditures as described in this
2570 section. At a minimum, 1 percent, and no more than 10 percent,
2571 of the funds allocated pursuant to this paragraph shall be spent
2572 on capital project expenditures identified during the time of
2573 acquisition which meet land management planning activities
2574 necessary for public access.

2575 (i) Three and five-tenths percent to the Department of
2576 Agriculture and Consumer Services for the acquisition of
2577 agricultural lands, through perpetual conservation easements and
2578 other perpetual less-than-fee techniques, which will achieve the
2579 objectives of Florida Forever and s. 570.71. Rules concerning
2580 the application, acquisition, and priority ranking process for
2581 such easements shall be developed pursuant to s. 570.71(10) and

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2582 as provided by this paragraph. The board shall ensure that such
2583 rules are consistent with the acquisition process provided for
2584 in s. 259.041. Provisions of the rules developed pursuant to s.
2585 570.71(10), shall also provide for the following:

2586 1. An annual priority list shall be developed pursuant to
2587 s. 570.71(10), submitted to the Acquisition and Restoration
2588 Council for review, and approved by the board pursuant to s.
2589 259.04.

2590 2. Terms of easements and acquisitions proposed pursuant to
2591 this paragraph shall be approved by the board and shall not be
2592 delegated by the board to any other entity receiving funds under
2593 this section.

2594 3. All acquisitions pursuant to this paragraph shall
2595 contain a clear statement that they are subject to legislative
2596 appropriation.

2597
2598 No funds provided under this paragraph shall be expended until
2599 final adoption of rules by the board pursuant to s. 570.71.

2600 (j) Two and five-tenths percent to the Department of
2601 Environmental Protection for the acquisition of land and capital
2602 project expenditures necessary to implement the Stan Mayfield
2603 Working Waterfronts Program within the Florida Communities Trust
2604 pursuant to s. 380.5105.

2605 (k) It is the intent of the Legislature that cash payments
2606 or proceeds of Florida Forever bonds distributed under this
2607 section shall be expended in an efficient and fiscally
2608 responsible manner. An agency that receives proceeds from
2609 Florida Forever bonds under this section may not maintain a
2610 balance of unencumbered funds in its Florida Forever subaccount

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2611 beyond 3 fiscal years from the date of deposit of funds from
2612 each bond issue. Any funds that have not been expended or
2613 encumbered after 3 fiscal years from the date of deposit shall
2614 be distributed by the Legislature at its next regular session
2615 for use in the Florida Forever program.

2616 (l) For the purposes of paragraphs (e), (f), (g), and (h),
2617 the agencies that receive the funds shall develop their
2618 individual acquisition or restoration lists in accordance with
2619 specific criteria and numeric performance measures developed
2620 pursuant s. 259.035(4). Proposed additions may be acquired if
2621 they are identified within the original project boundary, the
2622 management plan required pursuant to s. 253.034(5), or the
2623 management prospectus required pursuant to s. 259.032(7)(d) ~~s.~~
2624 ~~259.032(9)(d)~~. Proposed additions not meeting the requirements
2625 of this paragraph shall be submitted to the Acquisition and
2626 Restoration Council for approval. The council may only approve
2627 the proposed addition if it meets two or more of the following
2628 criteria: serves as a link or corridor to other publicly owned
2629 property; enhances the protection or management of the property;
2630 would add a desirable resource to the property; would create a
2631 more manageable boundary configuration; has a high resource
2632 value that otherwise would be unprotected; or can be acquired at
2633 less than fair market value.

2634 ~~(m) Notwithstanding paragraphs (a) - (j) and for the 2014-~~
2635 ~~2015 fiscal year only:~~

2636 ~~1. Five million dollars to the Department of Agriculture~~
2637 ~~and Consumer Services for the acquisition of agricultural lands~~
2638 ~~through perpetual conservation easements and other perpetual~~
2639 ~~less than fee techniques, which will achieve the objectives of~~

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2640 ~~Florida Forever and s. 570.71.~~

2641 ~~2. The remaining moneys appropriated from the Florida~~
2642 ~~Forever Trust Fund shall be distributed only to the Division of~~
2643 ~~State Lands within the Department of Environmental Protection~~
2644 ~~for land acquisitions that are less than fee interest, for~~
2645 ~~partnerships in which the state's portion of the acquisition~~
2646 ~~cost is no more than 50 percent, or for conservation lands~~
2647 ~~needed for military buffering or springs or water resources~~
2648 ~~protection.~~

2649

2650 ~~This paragraph expires July 1, 2015.~~

2651 ~~(4) Notwithstanding subsection (3) and for the 2014-2015~~
2652 ~~fiscal year only, the funds appropriated in section 56 of the~~
2653 ~~2014-2015 General Appropriations Act may be provided to water~~
2654 ~~management districts for land acquisitions, including less than~~
2655 ~~fee interest, identified by water management districts as being~~
2656 ~~needed for water resource protection or ecosystem restoration.~~
2657 ~~This subsection expires July 1, 2015.~~

2658 ~~(4)~~(5) It is the intent of the Legislature that projects or
2659 acquisitions funded pursuant to paragraphs (3)(a) and (b)
2660 contribute to the achievement of the following goals, which
2661 shall be evaluated in accordance with specific criteria and
2662 numeric performance measures developed pursuant s. 259.035(4):

2663 (a) Enhance the coordination and completion of land
2664 acquisition projects, as measured by:

2665 1. The number of acres acquired through the state's land
2666 acquisition programs that contribute to the enhancement of
2667 essential natural resources, ecosystem service parcels, and
2668 connecting linkage corridors as identified and developed by the

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2669 best available scientific analysis;

2670 2. The number of acres protected through the use of
2671 alternatives to fee simple acquisition; or

2672 3. The number of shared acquisition projects among Florida
2673 Forever funding partners and partners with other funding
2674 sources, including local governments and the Federal Government.

2675 (b) Increase the protection of Florida's biodiversity at
2676 the species, natural community, and landscape levels, as
2677 measured by:

2678 1. The number of acres acquired of significant strategic
2679 habitat conservation areas;

2680 2. The number of acres acquired of highest priority
2681 conservation areas for Florida's rarest species;

2682 3. The number of acres acquired of significant landscapes,
2683 landscape linkages, and conservation corridors, giving priority
2684 to completing linkages;

2685 4. The number of acres acquired of underrepresented native
2686 ecosystems;

2687 5. The number of landscape-sized protection areas of at
2688 least 50,000 acres that exhibit a mosaic of predominantly intact
2689 or restorable natural communities established through new
2690 acquisition projects or augmentations to previous projects; or

2691 6. The percentage increase in the number of occurrences of
2692 imperiled species on publicly managed conservation areas.

2693 (c) Protect, restore, and maintain the quality and natural
2694 functions of land, water, and wetland systems of the state, as
2695 measured by:

2696 1. The number of acres of publicly owned land identified as
2697 needing restoration, enhancement, and management, acres

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2698 undergoing restoration or enhancement, acres with restoration
2699 activities completed, and acres managed to maintain such
2700 restored or enhanced conditions; the number of acres which
2701 represent actual or potential imperiled species habitat; the
2702 number of acres which are available pursuant to a management
2703 plan to restore, enhance, repopulate, and manage imperiled
2704 species habitat; and the number of acres of imperiled species
2705 habitat managed, restored, enhanced, repopulated, or acquired;

2706 2. The percentage of water segments that fully meet,
2707 partially meet, or do not meet their designated uses as reported
2708 in the Department of Environmental Protection's State Water
2709 Quality Assessment 305(b) Report;

2710 3. The percentage completion of targeted capital
2711 improvements in surface water improvement and management plans
2712 created under s. 373.453(2), regional or master stormwater
2713 management system plans, or other adopted restoration plans;

2714 4. The number of acres acquired that protect natural
2715 floodplain functions;

2716 5. The number of acres acquired that protect surface waters
2717 of the state;

2718 6. The number of acres identified for acquisition to
2719 minimize damage from flooding and the percentage of those acres
2720 acquired;

2721 7. The number of acres acquired that protect fragile
2722 coastal resources;

2723 8. The number of acres of functional wetland systems
2724 protected;

2725 9. The percentage of miles of critically eroding beaches
2726 contiguous with public lands that are restored or protected from

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2727 further erosion;

2728 10. The percentage of public lakes and rivers in which
2729 invasive, nonnative aquatic plants are under maintenance
2730 control; or

2731 11. The number of acres of public conservation lands in
2732 which upland invasive, exotic plants are under maintenance
2733 control.

2734 (d) Ensure that sufficient quantities of water are
2735 available to meet the current and future needs of natural
2736 systems and the citizens of the state, as measured by:

2737 1. The number of acres acquired which provide retention and
2738 storage of surface water in naturally occurring storage areas,
2739 such as lakes and wetlands, consistent with the maintenance of
2740 water resources or water supplies and consistent with district
2741 water supply plans;

2742 2. The quantity of water made available through the water
2743 resource development component of a district water supply plan
2744 for which a water management district is responsible; or

2745 3. The number of acres acquired of groundwater recharge
2746 areas critical to springs, sinks, aquifers, other natural
2747 systems, or water supply.

2748 (e) Increase natural resource-based public recreational and
2749 educational opportunities, as measured by:

2750 1. The number of acres acquired that are available for
2751 natural resource-based public recreation or education;

2752 2. The miles of trails that are available for public
2753 recreation, giving priority to those that provide significant
2754 connections including those that will assist in completing the
2755 Florida National Scenic Trail; or

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2756 3. The number of new resource-based recreation facilities,
2757 by type, made available on public land.

2758 (f) Preserve significant archaeological or historic sites,
2759 as measured by:

2760 1. The increase in the number of and percentage of historic
2761 and archaeological properties listed in the Florida Master Site
2762 File or National Register of Historic Places which are protected
2763 or preserved for public use; or

2764 2. The increase in the number and percentage of historic
2765 and archaeological properties that are in state ownership.

2766 (g) Increase the amount of forestland available for
2767 sustainable management of natural resources, as measured by:

2768 1. The number of acres acquired that are available for
2769 sustainable forest management;

2770 2. The number of acres of state-owned forestland managed
2771 for economic return in accordance with current best management
2772 practices;

2773 3. The number of acres of forestland acquired that will
2774 serve to maintain natural groundwater recharge functions; or

2775 4. The percentage and number of acres identified for
2776 restoration actually restored by reforestation.

2777 (h) Increase the amount of open space available in urban
2778 areas, as measured by:

2779 1. The percentage of local governments that participate in
2780 land acquisition programs and acquire open space in urban cores;
2781 or

2782 2. The percentage and number of acres of purchases of open
2783 space within urban service areas.

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2785 Florida Forever projects and acquisitions funded pursuant to
2786 paragraph (3)(c) shall be measured by goals developed by rule by
2787 the Florida Communities Trust Governing Board created in s.
2788 380.504.

2789 (5)~~(6)~~(a) All lands acquired pursuant to this section shall
2790 be managed for multiple-use purposes, where compatible with the
2791 resource values of and management objectives for such lands. As
2792 used in this section, "multiple-use" includes, but is not
2793 limited to, outdoor recreational activities as described in ss.
2794 253.034 and 259.032(7)(b) ~~259.032(9)(b)~~, water resource
2795 development projects, sustainable forestry management, carbon
2796 sequestration, carbon mitigation, or carbon offsets.

2797 (b) Upon a decision by the entity in which title to lands
2798 acquired pursuant to this section has vested, such lands may be
2799 designated single use as defined in s. 253.034(2)(b).

2800 (c) For purposes of this section, the Board of Trustees of
2801 the Internal Improvement Trust Fund shall adopt rules that
2802 pertain to the use of state lands for carbon sequestration,
2803 carbon mitigation, or carbon offsets and that provide for
2804 climate-change-related benefits.

2805 (6)~~(7)~~ As provided in this section, a water resource or
2806 water supply development project may be allowed only if the
2807 following conditions are met: minimum flows and levels have been
2808 established for those waters, if any, which may reasonably be
2809 expected to experience significant harm to water resources as a
2810 result of the project; the project complies with all applicable
2811 permitting requirements; and the project is consistent with the
2812 regional water supply plan, if any, of the water management
2813 district and with relevant recovery or prevention strategies if

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2814 required pursuant to s. 373.0421(2).

2815 (7)~~(8)~~(a) Beginning no later than July 1, 2001, and every
2816 year thereafter, the Acquisition and Restoration Council shall
2817 accept applications from state agencies, local governments,
2818 nonprofit and for-profit organizations, private land trusts, and
2819 individuals for project proposals eligible for funding pursuant
2820 to paragraph (3)(b). The council shall evaluate the proposals
2821 received pursuant to this subsection to ensure that they meet at
2822 least one of the criteria under subsection (9).

2823 (b) Project applications shall contain, at a minimum, the
2824 following:

2825 1. A minimum of two numeric performance measures that
2826 directly relate to the overall goals adopted by the council.
2827 Each performance measure shall include a baseline measurement,
2828 which is the current situation; a performance standard which the
2829 project sponsor anticipates the project will achieve; and the
2830 performance measurement itself, which should reflect the
2831 incremental improvements the project accomplishes towards
2832 achieving the performance standard.

2833 2. Proof that property owners within any proposed
2834 acquisition have been notified of their inclusion in the
2835 proposed project. Any property owner may request the removal of
2836 such property from further consideration by submitting a request
2837 to the project sponsor or the Acquisition and Restoration
2838 Council by certified mail. Upon receiving this request, the
2839 council shall delete the property from the proposed project;
2840 however, the board of trustees, at the time it votes to approve
2841 the proposed project lists pursuant to subsection (16), may add
2842 the property back on to the project lists if it determines by a

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2843 super majority of its members that such property is critical to
2844 achieve the purposes of the project.

2845 (c) The title to lands acquired under this section shall
2846 vest in the Board of Trustees of the Internal Improvement Trust
2847 Fund, except that title to lands acquired by a water management
2848 district shall vest in the name of that district and lands
2849 acquired by a local government shall vest in the name of the
2850 purchasing local government.

2851 (8)~~(9)~~ The Acquisition and Restoration Council shall
2852 develop a project list that shall represent those projects
2853 submitted pursuant to subsection (7).

2854 (9)~~(10)~~ The Acquisition and Restoration Council shall
2855 recommend rules for adoption by the board of trustees to
2856 competitively evaluate, select, and rank projects eligible for
2857 Florida Forever funds pursuant to paragraph (3) (b) ~~and for~~
2858 ~~additions to the Conservation and Recreation Lands list pursuant~~
2859 ~~to ss. 259.032 and 259.101(4)~~. In developing these proposed
2860 rules, the Acquisition and Restoration Council shall give weight
2861 to the following criteria:

2862 (a) The project meets multiple goals described in
2863 subsection (4).

2864 (b) The project is part of an ongoing governmental effort
2865 to restore, protect, or develop land areas or water resources.

2866 (c) The project enhances or facilitates management of
2867 properties already under public ownership.

2868 (d) The project has significant archaeological or historic
2869 value.

2870 (e) The project has funding sources that are identified and
2871 assured through at least the first 2 years of the project.

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2872 (f) The project contributes to the solution of water
2873 resource problems on a regional basis.

2874 (g) The project has a significant portion of its land area
2875 in imminent danger of development, in imminent danger of losing
2876 its significant natural attributes or recreational open space,
2877 or in imminent danger of subdivision which would result in
2878 multiple ownership and make acquisition of the project costly or
2879 less likely to be accomplished.

2880 (h) The project implements an element from a plan developed
2881 by an ecosystem management team.

2882 (i) The project is one of the components of the Everglades
2883 restoration effort.

2884 (j) The project may be purchased at 80 percent of appraised
2885 value.

2886 (k) The project may be acquired, in whole or in part, using
2887 alternatives to fee simple, including but not limited to, tax
2888 incentives, mitigation funds, or other revenues; the purchase of
2889 development rights, hunting rights, agricultural or
2890 silvicultural rights, or mineral rights; or obtaining
2891 conservation easements or flowage easements.

2892 (l) The project is a joint acquisition, either among public
2893 agencies, nonprofit organizations, or private entities, or by a
2894 public-private partnership.

2895 (10)~~(11)~~ The Acquisition and Restoration Council shall give
2896 increased priority to those projects for which matching funds
2897 are available and to project elements previously identified on
2898 an acquisition list pursuant to this section that can be
2899 acquired at 80 percent or less of appraised value. The council
2900 shall also give increased priority to those projects where the

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2901 state's land conservation plans overlap with the military's need
2902 to protect lands, water, and habitat to ensure the
2903 sustainability of military missions including:

2904 (a) Protecting habitat on nonmilitary land for any species
2905 found on military land that is designated as threatened or
2906 endangered, or is a candidate for such designation under the
2907 Endangered Species Act or any Florida statute;

2908 (b) Protecting areas underlying low-level military air
2909 corridors or operating areas; and

2910 (c) Protecting areas identified as clear zones, accident
2911 potential zones, and air installation compatible use buffer
2912 zones delineated by our military partners, and for which federal
2913 or other funding is available to assist with the project.

2914 (11)~~(12)~~ For the purposes of funding projects pursuant to
2915 paragraph (3) (a), the Secretary of Environmental Protection
2916 shall ensure that each water management district receives the
2917 following percentage of funds annually:

2918 (a) Thirty-five percent to the South Florida Water
2919 Management District, of which amount \$25 million for 2 years
2920 beginning in fiscal year 2000-2001 shall be transferred by the
2921 Department of Environmental Protection into the Save Our
2922 Everglades Trust Fund and shall be used exclusively to implement
2923 the comprehensive plan under s. 373.470.

2924 (b) Twenty-five percent to the Southwest Florida Water
2925 Management District.

2926 (c) Twenty-five percent to the St. Johns River Water
2927 Management District.

2928 (d) Seven and one-half percent to the Suwannee River Water
2929 Management District.

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2930 (e) Seven and one-half percent to the Northwest Florida
2931 Water Management District.

2932 (12)~~(13)~~ It is the intent of the Legislature that in
2933 developing the list of projects for funding pursuant to
2934 paragraph (3) (a), that these funds not be used to abrogate the
2935 financial responsibility of those point and nonpoint sources
2936 that have contributed to the degradation of water or land areas.
2937 Therefore, an increased priority shall be given by the water
2938 management district governing boards to those projects that have
2939 secured a cost-sharing agreement allocating responsibility for
2940 the cleanup of point and nonpoint sources.

2941 (13)~~(14)~~ An affirmative vote of five members of the
2942 Acquisition and Restoration Council shall be required in order
2943 to place a proposed project on the list developed pursuant to
2944 subsection (8). Any member of the council who by family or a
2945 business relationship has a connection with any project proposed
2946 to be ranked shall declare such interest prior to voting for a
2947 project's inclusion on the list.

2948 (14)~~(15)~~ Each year that cash disbursements or bonds are to
2949 be issued pursuant to this section, the Acquisition and
2950 Restoration Council shall review the most current approved
2951 project list and shall, by the first board meeting in May,
2952 present to the Board of Trustees of the Internal Improvement
2953 Trust Fund for approval a listing of projects developed pursuant
2954 to subsection (8). The board of trustees may remove projects
2955 from the list developed pursuant to this subsection, but may not
2956 add projects or rearrange project rankings.

2957 (15)~~(16)~~ The Acquisition and Restoration Council shall
2958 submit to the board of trustees, with its list of projects, a

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2959 report that includes, but shall not be limited to, the following
2960 information for each project listed:

2961 (a) The stated purpose for inclusion.

2962 (b) Projected costs to achieve the project goals.

2963 (c) An interim management budget that includes all costs
2964 associated with immediate public access.

2965 (d) Specific performance measures.

2966 (e) Plans for public access.

2967 (f) An identification of the essential parcel or parcels
2968 within the project without which the project cannot be properly
2969 managed.

2970 (g) Where applicable, an identification of those projects
2971 or parcels within projects which should be acquired in fee
2972 simple or in less than fee simple.

2973 (h) An identification of those lands being purchased for
2974 conservation purposes.

2975 (i) A management policy statement for the project and a
2976 management prospectus pursuant to s. 259.032(7)(d) ~~s.~~
2977 ~~259.032(9)(d)~~.

2978 (j) An estimate of land value based on county tax assessed
2979 values.

2980 (k) A map delineating project boundaries.

2981 (l) An assessment of the project's ecological value,
2982 outdoor recreational value, forest resources, wildlife
2983 resources, ownership pattern, utilization, and location.

2984 (m) A discussion of whether alternative uses are proposed
2985 for the property and what those uses are.

2986 (n) A designation of the management agency or agencies.

2987 (16) ~~(17)~~ All proposals for projects pursuant to paragraph

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2988 (3) (b) shall be implemented only if adopted by the Acquisition
2989 and Restoration Council and approved by the board of trustees.
2990 The council shall consider and evaluate in writing the merits
2991 and demerits of each project that is proposed for Florida
2992 Forever funding ~~and each proposed addition to the Conservation
2993 and Recreation Lands list program~~. The council shall ensure that
2994 each proposed project will meet a stated public purpose for the
2995 restoration, conservation, or preservation of environmentally
2996 sensitive lands and water areas or for providing outdoor
2997 recreational opportunities ~~and that each proposed addition to
2998 the Conservation and Recreation Lands list will meet the public
2999 purposes under s. 259.032(3) and, when applicable, s.
3000 259.101(4)~~. The council also shall determine whether the project
3001 or addition conforms, where applicable, with the comprehensive
3002 plan developed pursuant to s. 259.04(1)(a), the comprehensive
3003 multipurpose outdoor recreation plan developed pursuant to s.
3004 375.021, the state lands management plan adopted pursuant to s.
3005 253.03(7), the water resources work plans developed pursuant to
3006 s. 373.199, and the provisions of this section.

3007 ~~(17)~~ (18) On an annual basis, the Division of State Lands
3008 shall prepare an annual work plan that prioritizes projects on
3009 the Florida Forever list and sets forth the funding available in
3010 the fiscal year for land acquisition. The work plan shall
3011 consider the following categories of expenditure for land
3012 conservation projects already selected for the Florida Forever
3013 list pursuant to subsection (8):

3014 (a) A critical natural lands category, including functional
3015 landscape-scale natural systems, intact large hydrological
3016 systems, lands that have significant imperiled natural

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3017 communities, and corridors linking large landscapes, as
3018 identified and developed by the best available scientific
3019 analysis.

3020 (b) A partnerships or regional incentive category,
3021 including:

3022 1. Projects where local and regional cost-share agreements
3023 provide a lower cost and greater conservation benefit to the
3024 people of the state. Additional consideration shall be provided
3025 under this category where parcels are identified as part of a
3026 local or regional visioning process and are supported by
3027 scientific analysis; and

3028 2. Bargain and shared projects where the state will receive
3029 a significant reduction in price for public ownership of land as
3030 a result of the removal of development rights or other interests
3031 in lands or receives alternative or matching funds.

3032 (c) A substantially complete category of projects where
3033 mainly inholdings, additions, and linkages between preserved
3034 areas will be acquired and where 85 percent of the project is
3035 complete.

3036 (d) A climate-change category list of lands where
3037 acquisition or other conservation measures will address the
3038 challenges of global climate change, such as through protection,
3039 restoration, mitigation, and strengthening of Florida's land,
3040 water, and coastal resources. This category includes lands that
3041 provide opportunities to sequester carbon, provide habitat,
3042 protect coastal lands or barrier islands, and otherwise mitigate
3043 and help adapt to the effects of sea-level rise and meet other
3044 objectives of the program.

3045 (e) A less-than-fee category for working agricultural lands

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3046 that significantly contribute to resource protection through
3047 conservation easements and other less-than-fee techniques, tax
3048 incentives, life estates, landowner agreements, and other
3049 partnerships, including conservation easements acquired in
3050 partnership with federal conservation programs, which will
3051 achieve the objectives of Florida Forever while allowing the
3052 continuation of compatible agricultural uses on the land. Terms
3053 of easements proposed for acquisition under this category shall
3054 be developed by the Division of State Lands in coordination with
3055 the Department of Agriculture and Consumer Services.

3056
3057 Projects within each category shall be ranked by order of
3058 priority. The work plan shall be adopted by the Acquisition and
3059 Restoration Council after at least one public hearing. A copy of
3060 the work plan shall be provided to the board of trustees of the
3061 Internal Improvement Trust Fund no later than October 1 of each
3062 year.

3063 (18)~~(19)~~(a) The Board of Trustees of the Internal
3064 Improvement Trust Fund, or, in the case of water management
3065 district lands, the owning water management district, may
3066 authorize the granting of a lease, easement, or license for the
3067 use of certain lands acquired pursuant to this section, for
3068 certain uses that are determined by the appropriate board to be
3069 compatible with the resource values of and management objectives
3070 for such lands.

3071 (b) Any existing lease, easement, or license acquired for
3072 incidental public or private use on, under, or across any lands
3073 acquired pursuant to this section shall be presumed to be
3074 compatible with the purposes for which such lands were acquired.

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3075 (c) Notwithstanding the provisions of paragraph (a), no
3076 such lease, easement, or license shall be entered into by the
3077 Department of Environmental Protection or other appropriate
3078 state agency if the granting of such lease, easement, or license
3079 would adversely affect the exclusion of the interest on any
3080 revenue bonds issued to fund the acquisition of the affected
3081 lands from gross income for federal income tax purposes,
3082 pursuant to Internal Revenue Service regulations.

3083 (19)~~(20)~~ The Acquisition and Restoration Council shall
3084 recommend adoption of rules by the board of trustees necessary
3085 to implement the provisions of this section relating to:
3086 solicitation, scoring, selecting, and ranking of Florida Forever
3087 project proposals; disposing of or leasing lands or water areas
3088 selected for funding through the Florida Forever program; and
3089 the process of reviewing and recommending for approval or
3090 rejection the land management plans associated with publicly
3091 owned properties. Rules promulgated pursuant to this subsection
3092 shall be submitted to the President of the Senate and the
3093 Speaker of the House of Representatives, for review by the
3094 Legislature, no later than 30 days prior to the 2010 Regular
3095 Session and shall become effective only after legislative
3096 review. In its review, the Legislature may reject, modify, or
3097 take no action relative to such rules. The board of trustees
3098 shall conform such rules to changes made by the Legislature, or,
3099 if no action was taken by the Legislature, such rules shall
3100 become effective.

3101 (20)~~(21)~~ Lands listed as projects for acquisition under the
3102 Florida Forever program may be managed for conservation pursuant
3103 to s. 259.032, on an interim basis by a private party in

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3104 anticipation of a state purchase in accordance with a
 3105 contractual arrangement between the acquiring agency and the
 3106 private party that may include management service contracts,
 3107 leases, cost-share arrangements, or resource conservation
 3108 agreements. Lands designated as eligible under this subsection
 3109 shall be managed to maintain or enhance the resources the state
 3110 is seeking to protect by acquiring the land and to accelerate
 3111 public access to the lands as soon as practicable. Funding for
 3112 these contractual arrangements may originate from the
 3113 documentary stamp tax revenue deposited into the Land
 3114 Acquisition Conservation and Recreation Lands Trust Fund and
 3115 Water Management Lands Trust Fund. No more than \$6.2 million may
 3116 be expended from the Land Acquisition Trust Fund ~~5 percent of~~
 3117 ~~funds allocated under the trust funds shall be expended~~ for this
 3118 purpose.

3119 Section 27. Subsections (1) and (3) of section 259.1051,
 3120 Florida Statutes, are amended to read:

3121 259.1051 Florida Forever Trust Fund.—

3122 (1) There is created the Florida Forever Trust Fund to
 3123 carry out the purposes of ss. 259.032, 259.105, 259.1052, and
 3124 375.031. The Florida Forever Trust Fund shall be held and
 3125 administered by the Department of Environmental Protection.
 3126 Proceeds from the sale of bonds, except proceeds of refunding
 3127 bonds, issued under s. 215.618 and payable from moneys
 3128 transferred to the Land Acquisition Trust Fund under s.
 3129 201.15(1) ~~s. 201.15(1)(a)~~, not to exceed \$5.3 billion, must be
 3130 deposited into this trust fund to be distributed and used as
 3131 provided in s. 259.105(3). The bond resolution adopted by the
 3132 governing board of the Division of Bond Finance of the State

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3133 Board of Administration may provide for additional provisions
3134 that govern the disbursement of the bond proceeds.

3135 (3) The Department of Environmental Protection shall ensure
3136 that the proceeds from the sale of bonds issued under s. 215.618
3137 and payable from moneys transferred to the Land Acquisition
3138 Trust Fund under s. 201.15(1) ~~s. 201.15(1)(a)~~ shall be
3139 administered and expended in a manner that ensures compliance of
3140 each issue of bonds that are issued on the basis that interest
3141 thereon will be excluded from gross income for federal income
3142 tax purposes, with the applicable provisions of the United
3143 States Internal Revenue Code and the regulations promulgated
3144 thereunder, to the extent necessary to preserve the exclusion of
3145 interest on the bonds from gross income for federal income tax
3146 purposes. The Department of Environmental Protection shall
3147 administer the use and disbursement of the proceeds of such
3148 bonds or require that the use and disbursement thereof be
3149 administered in a manner to implement strategies to maximize any
3150 available benefits under the applicable provisions of the United
3151 States Internal Revenue Code or regulations promulgated
3152 thereunder, to the extent not inconsistent with the purposes
3153 identified in s. 259.105(3).

3154 Section 28. Paragraph (a) of subsection (2) of section
3155 338.250, Florida Statutes, is amended to read:

3156 338.250 Central Florida Beltway Mitigation.—

3157 (2) Environmental mitigation required as a result of
3158 construction of the beltway, or portions thereof, shall be
3159 satisfied in the following manner:

3160 (a) For those projects which the Department of
3161 Transportation is authorized to construct, funds for

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3162 environmental mitigation shall be deposited in the Central
3163 Florida Beltway Trust Fund created within the department at the
3164 time bonds for the specific project are sold. If a road building
3165 authority other than the department is authorized to construct
3166 the project, funds for environmental mitigation shall be
3167 deposited in a mitigation fund account established in the
3168 construction fund for the bond issues. Said account shall be
3169 established at the time bond proceeds are deposited into the
3170 construction fund for the specific project. These funds shall be
3171 provided from bond proceeds, and the use of such funds from bond
3172 proceeds for mitigation shall be deemed a public purpose. The
3173 amount to be provided for mitigation for the Eastern Beltway in
3174 Seminole County shall be up to \$4 million, the amount to be
3175 provided for mitigation for the Western Beltway shall be up to
3176 \$30.5 million, the amount to be provided for mitigation for the
3177 Southern Connector shall be up to \$14.28 million, the amount to
3178 be provided for mitigation for the Turnpike/Southern Connector
3179 Interchange shall be up to \$1.46 million, and the amount to be
3180 provided for mitigation for the Southern Connector Extension
3181 shall be in proportion to the amount provided for the Southern
3182 Connector based upon the amount of wetlands displaced. To the
3183 extent allowed by law, the interest on said funds as earned,
3184 after deposit into the Central Florida Beltway Trust Fund, or in
3185 a mitigation fund account shall accrue and be paid to the agency
3186 responsible for the construction of the appropriate project.
3187 Where feasible, mitigation funds shall be used in coordination
3188 with funds from ~~the Conservation and Recreation Lands Trust~~
3189 ~~Fund, Save Our Rivers Land Acquisition Program, or from other~~
3190 appropriate sources.

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3191 Section 29. Subsection (4) of section 339.0801, Florida
3192 Statutes, is amended to read:

3193 339.0801 Allocation of increased revenues derived from
3194 amendments to s. 319.32(5)(a) by ch. 2012-128.—Funds that result
3195 from increased revenues to the State Transportation Trust Fund
3196 derived from the amendments to s. 319.32(5)(a) made by this act
3197 must be used annually, first as set forth in subsection (1) and
3198 then as set forth in subsections (2)-(5), notwithstanding any
3199 other provision of law:

3200 (4) Beginning in the 2013-2014 fiscal year and annually
3201 thereafter, \$10 million shall be allocated to the Small County
3202 Outreach Program, to be used as specified in s. 339.2818. These
3203 funds are in addition to the funds provided for the program
3204 pursuant to s. 201.15 ~~in s. 201.15(1)(e)1.b.~~

3205 Section 30. Subsection (9) of section 339.55, Florida
3206 Statutes, is amended to read:

3207 339.55 State-funded infrastructure bank.—

3208 (9) Funds paid into the State Transportation Trust Fund
3209 pursuant to s. 201.15 ~~s. 201.15(1)(e)~~ for the purposes of the
3210 State Infrastructure Bank are hereby annually appropriated for
3211 expenditure to support that program.

3212 Section 31. Subsection (5) of section 341.303, Florida
3213 Statutes, is amended to read:

3214 341.303 Funding authorization and appropriations;
3215 eligibility and participation.—

3216 (5) FUND PARTICIPATION; FLORIDA RAIL ENTERPRISE.—

3217 ~~(a)~~ The department, through the Florida Rail Enterprise, is
3218 authorized to use funds provided pursuant to s. 201.15(4)(a)4.
3219 ~~under s. 201.15(1)(e)1.d.~~ to fund:

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3220 (a) Up to 50 percent of the nonfederal share of the costs
3221 of any eligible passenger rail capital improvement project.

3222 ~~(b) The department, through the Florida Rail Enterprise, is~~
3223 ~~authorized to use funds provided under s. 201.15(1)(c)1.d. to~~
3224 ~~fund~~ Up to 100 percent of planning and development costs related
3225 to the provision of a passenger rail system, including, but not
3226 limited to, preliminary engineering, revenue studies,
3227 environmental impact studies, financial advisory services,
3228 engineering design, and other appropriate professional services.

3229 ~~(c) The department, through the Florida Rail Enterprise, is~~
3230 ~~authorized to use funds provided under s. 201.15(1)(c)1.d. to~~
3231 ~~fund~~ The high-speed rail system.

3232 ~~(d) The department, through the Florida Rail Enterprise, is~~
3233 ~~authorized to use funds provided under s. 201.15(1)(c)1.d. to~~
3234 ~~fund~~ Projects necessary to identify or address anticipated
3235 impacts of increased freight rail traffic resulting from the
3236 implementation of passenger rail systems as provided in s.
3237 341.302(3)(b).

3238 Section 32. Paragraph (b) of subsection (4) of section
3239 343.58, Florida Statutes, is amended to read:

3240 343.58 County funding for the South Florida Regional
3241 Transportation Authority.—

3242 (4) Notwithstanding any other provision of law to the
3243 contrary and effective July 1, 2010, until as provided in
3244 paragraph (d), the department shall transfer annually from the
3245 State Transportation Trust Fund to the South Florida Regional
3246 Transportation Authority the amounts specified in subparagraph
3247 (a)1. or subparagraph (a)2.

3248 (b) Funding required by this subsection may not be provided

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3249 from the funds dedicated to the Florida Rail Enterprise pursuant
3250 to s. 201.15(4)(a)4 ~~under s. 201.15(1)(e)1.d.~~

3251 Section 33. Section 369.252, Florida Statutes, is amended
3252 to read:

3253 369.252 Invasive plant control on public lands.—The Fish
3254 and Wildlife Conservation Commission shall establish a program
3255 that will accomplish all of the following ~~to~~:

3256 (1) Achieve eradication or maintenance control of invasive
3257 exotic plants on public lands when the scientific data indicate
3258 that they are detrimental to the state's natural environment or
3259 when the Commissioner of Agriculture finds that such plants or
3260 specific populations thereof are a threat to the agricultural
3261 productivity of the state. †

3262 (2) Assist state and local government agencies in the
3263 development and implementation of coordinated management plans
3264 for the eradication or maintenance control of invasive exotic
3265 plant species on public lands. †

3266 (3) Contract, or enter into agreements, with entities in
3267 the State University System or other governmental or private
3268 sector entities for research concerning control agents;
3269 production and growth of biological control agents; and
3270 development of workable methods for the eradication or
3271 maintenance control of invasive exotic plants on public lands. †
3272 ~~and~~

3273 (4) Use funds in the Invasive Plant Control Trust Fund as
3274 authorized by the Legislature for carrying out activities under
3275 this section on public lands. ~~A minimum of 20 percent of the~~
3276 ~~amount credited to the Invasive Plant Control Trust Fund~~
3277 ~~pursuant to s. 201.15(6) shall be used for the purpose of~~

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3278 ~~controlling nonnative, upland, invasive plant species on public~~
3279 ~~lands.~~

3280 Section 34. Paragraph (c) of subsection (8) of section
3281 373.026, Florida Statutes, is amended to read:

3282 373.026 General powers and duties of the department.—The
3283 department, or its successor agency, shall be responsible for
3284 the administration of this chapter at the state level. However,
3285 it is the policy of the state that, to the greatest extent
3286 possible, the department may enter into interagency or
3287 interlocal agreements with any other state agency, any water
3288 management district, or any local government conducting programs
3289 related to or materially affecting the water resources of the
3290 state. All such agreements shall be subject to the provisions of
3291 s. 373.046. In addition to its other powers and duties, the
3292 department shall, to the greatest extent possible:

3293 (8)

3294 (c) Notwithstanding paragraph (b), the use of state funds
3295 for land purchases from willing sellers is authorized for
3296 projects ~~within the South Florida Water Management District's~~
3297 ~~approved 5-year plan of acquisition pursuant to s. 373.59 or~~
3298 within the South Florida Water Management District's approved
3299 Florida Forever water management district work plan pursuant to
3300 s. 373.199.

3301 Section 35. Subsection (4) of section 373.089, Florida
3302 Statutes, is amended to read:

3303 373.089 Sale or exchange of lands, or interests or rights
3304 in lands.—The governing board of the district may sell lands, or
3305 interests or rights in lands, to which the district has acquired
3306 title or to which it may hereafter acquire title in the

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3307 following manner:

3308 (4) The governing board of a district may exchange lands,
3309 or interests or rights in lands, owned by, or lands, or
3310 interests or rights in lands, for which title is otherwise
3311 vested in, the district for other lands, or interests or rights
3312 in lands, within the state owned by any person. The governing
3313 board shall fix the terms and conditions of any such exchange
3314 and may pay or receive any sum of money that the board considers
3315 necessary to equalize the values of exchanged properties. Land,
3316 or interests or rights in land, acquired under former s. 373.59,
3317 Florida Statutes 2014, may be exchanged only for lands, or
3318 interests or rights in lands, that otherwise meet the
3319 requirements of that section for acquisition.

3320 Section 36. Paragraph (a) of subsection (5) of section
3321 373.129, Florida Statutes, is amended to read:

3322 373.129 Maintenance of actions.—The department, the
3323 governing board of any water management district, any local
3324 board, or a local government to which authority has been
3325 delegated pursuant to s. 373.103(8), is authorized to commence
3326 and maintain proper and necessary actions and proceedings in any
3327 court of competent jurisdiction for any of the following
3328 purposes:

3329 (5) To recover a civil penalty for each offense in an
3330 amount not to exceed \$10,000 per offense. Each date during which
3331 such violation occurs constitutes a separate offense.

3332 (a) A civil penalty recovered by a water management
3333 district pursuant to this subsection shall be retained ~~deposited~~
3334 ~~in the Water Management Lands Trust Fund established under s.~~
3335 ~~373.59~~ and used exclusively by the water management district

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3336 that collected ~~deposits~~ the money into the fund. A civil penalty
3337 recovered by the department pursuant to this subsection shall be
3338 deposited into the Water Quality Assurance Trust Fund
3339 established under s. 376.307 ~~Any such civil penalty recovered~~
3340 ~~after the expiration of such fund shall be deposited in the~~
3341 ~~Ecosystem Management and Restoration Trust Fund and used~~
3342 ~~exclusively within the water management district that deposits~~
3343 ~~the money into the fund.~~

3344 Section 37. Subsection (5) of section 373.1391, Florida
3345 Statutes, is amended to read:

3346 373.1391 Management of real property.-

3347 (5) The following additional uses of lands acquired
3348 pursuant to the Florida Forever program and other state-funded
3349 land purchase programs shall be authorized, upon a finding by
3350 the governing board, if they meet the criteria specified in
3351 paragraphs (a)-(e): water resource development projects, water
3352 supply development projects, stormwater management projects,
3353 linear facilities, and sustainable agriculture and forestry.
3354 Such additional uses are authorized where:

3355 (a) Not inconsistent with the management plan for such
3356 lands;

3357 (b) Compatible with the natural ecosystem and resource
3358 values of such lands;

3359 (c) The proposed use is appropriately located on such lands
3360 and where due consideration is given to the use of other
3361 available lands;

3362 (d) The using entity reasonably compensates the titleholder
3363 for such use based upon an appropriate measure of value; and

3364 (e) The use is consistent with the public interest.

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

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

373.199 Florida Forever Water Management District Work Plan.—

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

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

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

(c) The progress of funding, staffing, and resource management of every project funded pursuant to former s. 259.101(3), Florida Statutes 2014 ~~s. 259.101~~, s. 259.105, or former s. 373.59(2), Florida Statutes 2014, ~~s. 373.59~~ for which the district is responsible.

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3394 The secretary shall submit the report referenced in this
3395 subsection to the Board of Trustees of the Internal Improvement
3396 Trust Fund together with the Acquisition and Restoration
3397 Council's project list as required under s. 259.105.

3398 Section 39. Subsection (7) of section 373.430, Florida
3399 Statutes, is amended to read:

3400 373.430 Prohibitions, violation, penalty, intent.—

3401 (7) All moneys recovered under the provisions of this
3402 section shall be allocated to the use of the water management
3403 district, the department, or the local government, whichever
3404 undertook and maintained the enforcement action. All monetary
3405 penalties and damages recovered by the department or the state
3406 under the provisions of this section shall be deposited into ~~in~~
3407 the Florida Permit Fee Ecosystem Management and Restoration
3408 Trust Fund. All monetary penalties and damages recovered
3409 pursuant to this section by a water management district shall be
3410 retained ~~deposited in the Water Management Lands Trust Fund~~
3411 ~~established under s. 373.59~~ and used exclusively within the
3412 territory of the water management district which collected
3413 ~~deposits~~ the money ~~into the fund~~. ~~Any such monetary penalties~~
3414 ~~and damages recovered after the expiration of such fund shall be~~
3415 ~~deposited in the Ecosystem Management and Restoration Trust Fund~~
3416 ~~and used exclusively within the territory of the water~~
3417 ~~management district which deposits the money into the fund~~. All
3418 monetary penalties and damages recovered pursuant to this
3419 subsection by a local government to which authority has been
3420 delegated pursuant to s. 373.103(8) shall be used to enhance
3421 surface water improvement or pollution control activities.

3422 Section 40. Subsections (3) through (6) of section 373.459,

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3423 Florida Statutes, are amended to read:

3424 373.459 Funds for surface water improvement and
3425 management.—

3426 (3) ~~The Ecosystem Management and Restoration Trust Fund~~
3427 ~~shall be used for the deposit of funds appropriated by the~~
3428 ~~Legislature for the purposes of ss. 373.451-373.4595. The~~
3429 department shall administer all funds appropriated to or
3430 received for surface water improvement and management
3431 activities. Expenditure of the moneys shall be limited to the
3432 costs of detailed planning and plan and program implementation
3433 for priority surface water bodies. Moneys may ~~from the fund~~
3434 ~~shall~~ not be expended for planning for, or construction or
3435 expansion of, treatment facilities for domestic or industrial
3436 waste disposal.

3437 (4) The department shall authorize the release of money
3438 ~~from the fund~~ in accordance with ~~the provisions of s. 373.501(2)~~
3439 ~~and procedures in s. 373.59(4) and (5).~~

3440 ~~(5) Moneys in the fund which are not needed to meet current~~
3441 ~~obligations incurred under this section shall be transferred to~~
3442 ~~the State Board of Administration, to the credit of the trust~~
3443 ~~fund, to be invested in the manner provided by law. Interest~~
3444 ~~received on such investments shall be credited to the trust~~
3445 ~~fund.~~

3446 (5)~~(6)~~ The match requirement of subsection (2) does ~~shall~~
3447 not apply to the Suwannee River Water Management District, the
3448 Northwest Florida Water Management District, or a financially
3449 disadvantaged small local government as defined in former s.
3450 403.885(3).

3451 Section 41. Paragraph (a) of subsection (3) of section

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3452 373.4592, Florida Statutes, is amended to read:

3453 373.4592 Everglades improvement and management.—

3454 (3) EVERGLADES LONG-TERM PLAN.—

3455 (a) The Legislature finds that the Everglades Program
3456 required by this section establishes more extensive and
3457 comprehensive requirements for surface water improvement and
3458 management within the Everglades than the SWIM plan requirements
3459 provided in ss. 373.451 and 373.453. In order to avoid
3460 duplicative requirements, and in order to conserve the resources
3461 available to the district, the SWIM plan requirements of those
3462 sections shall not apply to the Everglades Protection Area and
3463 the EAA during the term of the Everglades Program, and the
3464 district will neither propose, nor take final agency action on,
3465 any Everglades SWIM plan for those areas until the Everglades
3466 Program is fully implemented. Funds identified under former s.
3467 259.101(3)(b), Florida Statutes 2014, may be used for
3468 acquisition of lands necessary to implement the Everglades
3469 Construction Project, to the extent these funds are identified
3470 in the Statement of Principles of July 1993. The district's
3471 actions in implementing the Everglades Construction Project
3472 relating to the responsibilities of the EAA and C-139 Basin for
3473 funding and water quality compliance in the EAA and the
3474 Everglades Protection Area shall be governed by this section.
3475 Other strategies or activities in the March 1992 Everglades SWIM
3476 plan may be implemented if otherwise authorized by law.

3477 Section 42. Subsection (4) of section 373.45926, Florida
3478 Statutes, is amended to read:

3479 373.45926 Everglades Trust Fund; allocation of revenues and
3480 expenditure of funds for conservation and protection of natural

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3481 resources and abatement of water pollution.—

3482 (4) The following funds shall be deposited into the
3483 Everglades Trust Fund specifically for the implementation of the
3484 Everglades Forever Act.

3485 (a) Alligator Alley toll revenues pursuant to s. 338.26(3).

3486 (b) Everglades agricultural privilege tax revenues pursuant
3487 to s. 373.4592(6).

3488 (c) C-139 agricultural privilege tax revenues pursuant to
3489 s. 373.4592(7).

3490 (d) Special assessment revenues pursuant to s. 373.4592(8).

3491 (e) Ad valorem revenues pursuant to s. 373.4592(4)(a).

3492 (f) Federal funds appropriated by the United States
3493 Congress for any component of the Everglades Construction
3494 Project.

3495 ~~(g) Preservation 2000 funds for acquisition of lands~~
3496 ~~necessary for implementation of the Everglades Forever Act as~~
3497 ~~prescribed in an annual appropriation.~~

3498 (g)~~(h)~~ Any additional funds specifically appropriated by
3499 the Legislature for this purpose.

3500 (h)~~(i)~~ Gifts designated for implementation of the
3501 Everglades Forever Act from individuals, corporations, and other
3502 entities.

3503 (i)~~(j)~~ Any additional funds that become available for this
3504 purpose from any other source.

3505 Section 43. Paragraph (a) of subsection (6) and paragraph
3506 (b) of subsection (7) of section 373.470, Florida Statutes, are
3507 amended to read:

3508 373.470 Everglades restoration.—

3509 (6) DISTRIBUTIONS FROM SAVE OUR EVERGLADES TRUST FUND.—

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3510 (a) Except as provided in paragraphs (d) and (e) and for
3511 funds appropriated for debt service, the department shall
3512 distribute funds in the Save Our Everglades Trust Fund to the
3513 district in accordance with a legislative appropriation and s.
3514 373.026(8) (b) ~~and (c)~~. Distribution of funds to the district
3515 from the Save Our Everglades Trust Fund shall be equally matched
3516 by the cumulative contributions from the district by fiscal year
3517 2019-2020 by providing funding or credits toward project
3518 components. The dollar value of in-kind project design and
3519 construction work by the district in furtherance of the
3520 comprehensive plan and existing interest in public lands needed
3521 for a project component are credits towards the district's
3522 contributions.

3523 (7) ANNUAL REPORT.—To provide enhanced oversight of and
3524 accountability for the financial commitments established under
3525 this section and the progress made in the implementation of the
3526 comprehensive plan, the following information must be prepared
3527 annually as part of the consolidated annual report required by
3528 s. 373.036(7):

3529 (b) The department shall prepare a detailed report on all
3530 funds expended by the state and credited toward the state's
3531 share of funding for implementation of the comprehensive plan.
3532 The report shall include:

3533 1. A description of all expenditures, by source and amount,
3534 from ~~the Conservation and Recreation Lands Trust Fund,~~ the Land
3535 Acquisition Trust Fund, ~~the Preservation 2000 Trust Fund,~~ the
3536 Florida Forever Trust Fund, the Save Our Everglades Trust Fund,
3537 and other named funds or accounts for the acquisition or
3538 construction of project components or other features or

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3539 facilities that benefit the comprehensive plan.

3540 2. A description of the purposes for which the funds were
3541 expended.

3542 3. The unencumbered fiscal-year-end balance that remains in
3543 each trust fund or account identified in subparagraph 1.

3544
3545 The information required in paragraphs (a), (b), and (c) shall
3546 be provided as part of the consolidated annual report required
3547 by s. 373.036(7). The initial report is due by November 30,
3548 2000, and each annual report thereafter is due by March 1.

3549 Section 44. Subsection (2) of section 373.584, Florida
3550 Statutes, is amended to read:

3551 373.584 Revenue bonds.—

3552 (2) Revenues derived by the district ~~from the Water~~
3553 ~~Management Lands Trust Fund as provided in s. 373.59 or any~~
3554 ~~other revenues of the district~~ may be pledged to the payment of
3555 ~~such~~ revenue bonds; however, the ad valorem taxing powers of the
3556 district may not be pledged to the payment of such revenue bonds
3557 without prior compliance with the requirements of the State
3558 Constitution as to the affirmative vote of the electors of the
3559 district and with the requirements of s. 373.563, ~~and bonds~~
3560 ~~payable from the Water Management Lands Trust Fund shall be~~
3561 ~~issued solely for the purposes set forth in s. 373.59.~~ Revenue
3562 bonds and notes shall be, and shall be deemed to be, for all
3563 purposes, negotiable instruments, subject only to the provisions
3564 of the revenue bonds and notes for registration. The powers and
3565 authority of districts to issue revenue bonds, including, but
3566 not limited to, bonds to finance a stormwater management system
3567 as defined by s. 373.403, and to enter into contracts incidental

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3568 thereto, and to do all things necessary and desirable in
3569 connection with the issuance of revenue bonds, shall be
3570 coextensive with the powers and authority of municipalities to
3571 issue bonds under state law. The provisions of this section
3572 constitute full and complete authority for the issuance of
3573 revenue bonds and shall be liberally construed to effectuate its
3574 purpose.

3575 Section 45. Section 373.59, Florida Statutes, is amended to
3576 read:

3577 373.59 Payment in lieu of taxes for lands acquired for
3578 water management district purposes ~~Water Management Lands Trust~~
3579 ~~Fund.~~—

3580 ~~(1) There is established within the Department of~~
3581 ~~Environmental Protection the Water Management Lands Trust Fund~~
3582 ~~to be used as a nonlapsing fund for the purposes of this~~
3583 ~~section. The moneys in this fund are hereby continually~~
3584 ~~appropriated for the purposes of land acquisition, management,~~
3585 ~~maintenance, capital improvements of land titled to the~~
3586 ~~districts, payments in lieu of taxes, debt service on bonds~~
3587 ~~issued prior to July 1, 1999, debt service on bonds issued on or~~
3588 ~~after July 1, 1999, which are issued to refund bonds issued~~
3589 ~~before July 1, 1999, preacquisition costs associated with land~~
3590 ~~purchases, and the department's costs of administration of the~~
3591 ~~fund. No refunding bonds may be issued which mature after the~~
3592 ~~final maturity date of the bonds being refunded or which provide~~
3593 ~~for higher debt service in any year than is payable on such~~
3594 ~~bonds as of February 1, 2009. The department's costs of~~
3595 ~~administration shall be charged proportionally against each~~
3596 ~~district's allocation using the formula provided in subsection~~

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3597 ~~(8). Capital improvements shall include, but need not be limited~~
3598 ~~to, perimeter fencing, signs, firelanes, control of invasive~~
3599 ~~exotic species, controlled burning, habitat inventory and~~
3600 ~~restoration, law enforcement, access roads and trails, and~~
3601 ~~minimal public accommodations, such as primitive campsites,~~
3602 ~~garbage receptacles, and toilets. The moneys in the fund may~~
3603 ~~also be appropriated to supplement operational expenditures at~~
3604 ~~the Northwest Florida Water Management District and the Suwannee~~
3605 ~~River Water Management District, with such appropriations~~
3606 ~~allocated prior to the allocations set out in subsection (8) to~~
3607 ~~the five water management districts.~~

3608 ~~(2) Until the Preservation 2000 Program is concluded, each~~
3609 ~~district shall file with the Legislature and the Secretary of~~
3610 ~~Environmental Protection a report of acquisition activity, by~~
3611 ~~January 15 of each year, together with modifications or~~
3612 ~~additions to its 5-year plan of acquisition. Included in the~~
3613 ~~report shall be an identification of those lands which require a~~
3614 ~~full fee simple interest to achieve water management goals and~~
3615 ~~those lands which can be acquired using alternatives to fee~~
3616 ~~simple acquisition techniques and still achieve such goals. In~~
3617 ~~their evaluation of which lands would be appropriate for~~
3618 ~~acquisition through alternatives to fee simple, district staff~~
3619 ~~shall consider criteria including, but not limited to,~~
3620 ~~acquisition costs, the net present value of future land~~
3621 ~~management costs, the net present value of ad valorem revenue~~
3622 ~~loss to the local government, and the potential for revenue~~
3623 ~~generated from activities compatible with acquisition~~
3624 ~~objectives. The report shall also include a description of land~~
3625 ~~management activity. However, no acquisition of lands shall~~

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3626 occur without a public hearing similar to those held pursuant to
3627 the provisions set forth in s. 120.54. In the annual update of
3628 its 5-year plan for acquisition, each district shall identify
3629 lands needed to protect or recharge groundwater and shall
3630 establish a plan for their acquisition as necessary to protect
3631 potable water supplies. Lands which serve to protect or recharge
3632 groundwater identified pursuant to this paragraph shall also
3633 serve to protect other valuable natural resources or provide
3634 space for natural resource based recreation. Once all
3635 Preservation 2000 funds allocated to the water management
3636 districts have been expended or committed, this subsection shall
3637 be repealed.

3638 (3) Each district shall remove the property of an unwilling
3639 seller from its plan of acquisition at the next scheduled update
3640 of the plan, if in receipt of a request to do so by the property
3641 owner. This subsection shall be repealed at the conclusion of
3642 the Preservation 2000 program.

3643 (4) The Secretary of Environmental Protection shall release
3644 moneys from the Water Management Lands Trust Fund to a district
3645 for preacquisition costs within 30 days after receipt of a
3646 resolution adopted by the district's governing board which
3647 identifies and justifies any such preacquisition costs necessary
3648 for the purchase of any lands listed in the district's 5-year
3649 plan. The district shall return to the department any funds not
3650 used for the purposes stated in the resolution, and the
3651 department shall deposit the unused funds into the Water
3652 Management Lands Trust Fund.

3653 (5) The Secretary of Environmental Protection shall release
3654 to the districts moneys for management, maintenance, and capital

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3655 ~~improvements following receipt of a resolution and request~~
3656 ~~adopted by the governing board which specifies the designated~~
3657 ~~managing agency, specific management activities, public use,~~
3658 ~~estimated annual operating costs, and other acceptable~~
3659 ~~documentation to justify release of moneys.~~

3660 ~~(6) If a district issues revenue bonds or notes under s.~~
3661 ~~373.584 prior to July 1, 1999, the district may pledge its share~~
3662 ~~of the moneys in the Water Management Lands Trust Fund as~~
3663 ~~security for such bonds or notes. The Department of~~
3664 ~~Environmental Protection shall pay moneys from the trust fund to~~
3665 ~~a district or its designee sufficient to pay the debt service,~~
3666 ~~as it becomes due, on the outstanding bonds and notes of the~~
3667 ~~district; however, such payments shall not exceed the district's~~
3668 ~~cumulative portion of the trust fund. However, any moneys~~
3669 ~~remaining after payment of the amount due on the debt service~~
3670 ~~shall be released to the district pursuant to subsection (5).~~

3671 ~~(7) Any unused portion of a district's share of the fund~~
3672 ~~shall accumulate in the trust fund to the credit of that~~
3673 ~~district. Interest earned on such portion shall also accumulate~~
3674 ~~to the credit of that district to be used for management,~~
3675 ~~maintenance, and capital improvements as provided in this~~
3676 ~~section. The total moneys over the life of the fund available to~~
3677 ~~any district under this section shall not be reduced except by~~
3678 ~~resolution of the district governing board stating that the need~~
3679 ~~for the moneys no longer exists. Any water management district~~
3680 ~~with fund balances in the Water Management Lands Trust Fund as~~
3681 ~~of March 1, 1999, may expend those funds for land acquisitions~~
3682 ~~pursuant to s. 373.139, or for the purpose specified in this~~
3683 ~~subsection.~~

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3684 ~~(8) Moneys from the Water Management Lands Trust Fund shall~~
3685 ~~be allocated as follows:~~

3686 ~~(a) Beginning with the 2009-2010 fiscal year, thirty~~
3687 ~~percent shall be used first to pay debt service on bonds issued~~
3688 ~~before February 1, 2009, by the South Florida Water Management~~
3689 ~~District which are secured by revenues provided by this section~~
3690 ~~or to fund debt service reserve funds, rebate obligations, or~~
3691 ~~other amounts payable with respect to such bonds, then to~~
3692 ~~transfer \$3,000,000 to the credit of the General Revenue Fund in~~
3693 ~~each fiscal year, and lastly to distribute the remainder to the~~
3694 ~~South Florida Water Management District.~~

3695 ~~(b) Beginning with the 2009-2010 fiscal year, twenty-five~~
3696 ~~percent shall be used first to transfer \$2,500,000 to the credit~~
3697 ~~of the General Revenue Fund in each fiscal year and then to~~
3698 ~~distribute the remainder to the Southwest Florida Water~~
3699 ~~Management District.~~

3700 ~~(c) Beginning with the 2009-2010 fiscal year, twenty-five~~
3701 ~~percent shall be used first to pay debt service on bonds issued~~
3702 ~~before February 1, 2009, by the St. Johns River Water Management~~
3703 ~~District which are secured by revenues provided by this section~~
3704 ~~or to fund debt service reserve funds, rebate obligations, or~~
3705 ~~other amounts payable with respect to such bonds, then to~~
3706 ~~transfer \$2,500,000 to the credit of the General Revenue Fund in~~
3707 ~~each fiscal year, and to distribute the remainder to the St.~~
3708 ~~Johns River Water Management District.~~

3709 ~~(d) Ten percent to the Suwannee River Water Management~~
3710 ~~District.~~

3711 ~~(e) Ten percent to the Northwest Florida Water Management~~
3712 ~~District.~~

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3713 ~~(9) Moneys in the fund not needed to meet current~~
3714 ~~obligations incurred under this section shall be transferred to~~
3715 ~~the State Board of Administration, to the credit of the fund, to~~
3716 ~~be invested in the manner provided by law. Interest received on~~
3717 ~~such investments shall be credited to the fund.~~

3718 ~~(10)(a) Beginning July 1, 1999, not more than one fourth of~~
3719 ~~the Funds provided for in subsections (1) and (8) in any year~~
3720 ~~shall be reserved annually by a governing board, during the~~
3721 ~~development of its annual operating budget, for payments in lieu~~
3722 ~~of taxes for all actual ad valorem tax losses incurred as a~~
3723 ~~result of all governing board acquisitions for water management~~
3724 ~~district purposes. Reserved funds not used for payments in lieu~~
3725 ~~of taxes in any year shall revert to the Water Management Lands~~
3726 ~~Trust Fund to be used in accordance with the provisions of this~~
3727 ~~section.~~

3728 ~~(2)(b)~~ Payment in lieu of taxes shall be available:

3729 (a)1. To all counties that have a population of 150,000 or
3730 fewer. Population levels shall be determined pursuant to s.
3731 186.901. The population estimates published April 1 and used in
3732 the revenue-sharing formula pursuant to s. 186.901 shall be used
3733 to determine eligibility under this subsection and shall apply
3734 to payments made for the subsequent fiscal year.

3735 (b)2. To all local governments located in eligible counties
3736 and whose lands are bought and taken off the tax rolls.

3737
3738 For properties acquired after January 1, 2000, in the event that
3739 such properties otherwise eligible for payment in lieu of taxes
3740 under this subsection are leased or reserved and remain subject
3741 to ad valorem taxes, payments in lieu of taxes shall commence or

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3742 recommence upon the expiration or termination of the lease or
3743 reservation. If the lease is terminated for only a portion of
3744 the lands at any time, the annual payments shall be made for
3745 that portion only commencing the year after such termination,
3746 without limiting the requirement that annual payments shall be
3747 made on the remaining portion or portions of the land as the
3748 lease on each expires. For the purposes of this subsection,
3749 "local government" includes municipalities and the county school
3750 board.

3751 (3)~~(e)~~ If sufficient funds are unavailable in any year to
3752 make full payments to all qualifying counties and local
3753 governments, such counties and local governments shall receive a
3754 pro rata share of the moneys available.

3755 (4)~~(d)~~ The payment amount shall be based on the average
3756 amount of actual ad valorem taxes paid on the property for the 3
3757 years preceding acquisition. Applications for payment in lieu of
3758 taxes shall be made no later than May 31 of the year for which
3759 payment is sought. No payment in lieu of taxes shall be made for
3760 properties which were exempt from ad valorem taxation for the
3761 year immediately preceding acquisition.

3762 (5)~~(e)~~ If property that was subject to ad valorem taxation
3763 was acquired by a tax-exempt entity for ultimate conveyance to
3764 the state under this chapter, payment in lieu of taxes shall be
3765 made for such property based upon the average amount of ad
3766 valorem taxes paid on the property for the 3 years prior to its
3767 being removed from the tax rolls. The water management districts
3768 shall certify to the Department of Revenue those properties that
3769 may be eligible under this provision. Once eligibility has been
3770 established, that governmental entity shall receive annual

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3771 payments for each tax loss until the qualifying governmental
3772 entity exceeds the population threshold pursuant to subsection
3773 (2) ~~paragraph (b)~~.

3774 (6) ~~(f)~~ Payment in lieu of taxes pursuant to this subsection
3775 shall be made annually to qualifying counties and local
3776 governments after certification by the Department of Revenue
3777 that the amounts applied for are reasonably appropriate, based
3778 on the amount of actual ad valorem taxes paid on the eligible
3779 property, and after the water management districts have provided
3780 supporting documents to the Chief Financial Officer and have
3781 requested that payment be made in accordance with the
3782 requirements of this section. With the assistance of the local
3783 government requesting payment in lieu of taxes, the water
3784 management district that acquired the land is responsible for
3785 preparing and submitting application requests for payment to the
3786 Department of Revenue for certification.

3787 (7) ~~(g)~~ If a water management district conveys to a county
3788 or local government title to any land owned by the district, any
3789 payments in lieu of taxes on the land made to the county or
3790 local government shall be discontinued as of the date of the
3791 conveyance.

3792 ~~(11) Notwithstanding any provision of this section to the~~
3793 ~~contrary, the governing board of a water management district may~~
3794 ~~request, and the Secretary of Environmental Protection shall~~
3795 ~~release upon such request, moneys allocated to the districts~~
3796 ~~pursuant to subsection (8) for purposes consistent with the~~
3797 ~~provisions of s. 373.709, s. 373.705, s. 373.139, or ss.~~
3798 ~~373.451-373.4595 and for legislatively authorized land~~
3799 ~~acquisition and water restoration initiatives. No funds may be~~

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3800 ~~used pursuant to this subsection until necessary debt service~~
3801 ~~obligations, requirements for payments in lieu of taxes, and~~
3802 ~~land management obligations that may be required by this chapter~~
3803 ~~are provided for.~~

3804 ~~(12) Notwithstanding subsection (8), and for the 2014-2015~~
3805 ~~fiscal year only, the moneys from the Water Management Lands~~
3806 ~~Trust Fund are allocated as follows:~~

3807 ~~(a) An amount necessary to pay debt service on bonds issued~~
3808 ~~before February 1, 2009, by the South Florida Water Management~~
3809 ~~District and the St. Johns River Water Management District,~~
3810 ~~which are secured by revenues provided pursuant to this section,~~
3811 ~~or to fund debt service reserve funds, rebate obligations, or~~
3812 ~~other amounts payable with respect to such bonds.~~

3813 ~~(b) Eight million dollars to be transferred to the General~~
3814 ~~Revenue Fund.~~

3815 ~~(c) Seven million seven hundred thousand dollars to be~~
3816 ~~transferred to the Save Our Everglades Trust Fund to support~~
3817 ~~Everglades restoration projects included in the final report of~~
3818 ~~the Select Committee on Indian River Lagoon and Lake Okeechobee~~
3819 ~~Basin, dated November 8, 2013.~~

3820 ~~(d) Any remaining funds to be provided in accordance with~~
3821 ~~the General Appropriations Act.~~

3822
3823 ~~This subsection expires July 1, 2015.~~

3824 ~~Section 46. Section 373.5905, Florida Statutes, is amended~~
3825 ~~to read:~~

3826 ~~373.5905 Reinstatement of payments in lieu of taxes;~~
3827 ~~duration.—If a water management district has made a payment in~~
3828 ~~lieu of taxes to a governmental entity and subsequently~~

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3829 suspended such payment, beginning July 1, 2009, the water
3830 management district shall reinstate appropriate payments and
3831 continue the payments for as long as the county population
3832 remains below the population threshold pursuant to s.
3833 373.59(2)(a) ~~s. 373.59(10)(b)~~. This section does not authorize
3834 or provide for payments in arrears.

3835 Section 47. Subsection (8) of section 373.703, Florida
3836 Statutes, is amended to read:

3837 373.703 Water production; general powers and duties.—In the
3838 performance of, and in conjunction with, its other powers and
3839 duties, the governing board of a water management district
3840 existing pursuant to this chapter:

3841 (8) In addition to the power to issue revenue bonds
3842 pursuant to s. 373.584, may issue revenue bonds for the purposes
3843 of paying the costs and expenses incurred in carrying out the
3844 purposes of this chapter or refunding obligations of the
3845 district issued pursuant to this section. Such revenue bonds
3846 shall be secured by, and be payable from, revenues derived from
3847 the operation, lease, or use of its water production and
3848 transmission facilities and other water-related facilities and
3849 from the sale of water or services relating thereto. Such
3850 revenue bonds may not be secured by, or be payable from, ~~moneys~~
3851 ~~derived by the district from the Water Management Lands Trust~~
3852 ~~Fund or from~~ ad valorem taxes received by the district or from
3853 moneys appropriated by the Legislature, unless otherwise
3854 specifically authorized by law. All provisions of s. 373.584
3855 relating to the issuance of revenue bonds which are not
3856 inconsistent with this section shall apply to the issuance of
3857 revenue bonds pursuant to this section. The district may also

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3858 issue bond anticipation notes in accordance with the provisions
3859 of s. 373.584.

3860 Section 48. Subsection (8) of section 375.031, Florida
3861 Statutes, is amended to read:

3862 375.031 Acquisition of land; procedures.—

3863 (8) The department may, if it deems it desirable and in the
3864 best interest of the program, request the board of trustees to
3865 sell or otherwise dispose of any lands or water storage areas
3866 acquired under this act. The board of trustees, when so
3867 requested, shall offer the lands or water storage areas, on such
3868 terms as the department may determine, first to other state
3869 agencies and then, if still available, to the county or
3870 municipality in which the lands or water storage areas lie. If
3871 not acquired by another state agency or local governmental body
3872 for beneficial public purposes, the lands or water storage areas
3873 shall then be offered by the board of trustees at public sale,
3874 after first giving notice of such sale by publication in a
3875 newspaper published in the county or counties in which such
3876 lands or water storage areas lie not less than once a week for 3
3877 consecutive weeks. All proceeds from the sale or disposition of
3878 any lands or water storage areas pursuant to this section shall
3879 be deposited into the appropriate trust fund pursuant to s.
3880 253.034(6)(k), (l), or (m) in the Land Acquisition Trust Fund.

3881 Section 49. Section 375.041, Florida Statutes, is amended
3882 to read:

3883 375.041 Land Acquisition Trust Fund.—

3884 (1) There is created a Land Acquisition Trust Fund within
3885 the Department of Environmental Protection. The Land Acquisition
3886 Trust Fund is designated by s. 28, Art. X of the State

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3887 Constitution for receipt of certain documentary stamp tax
3888 revenue for the uses prescribed therein ~~to facilitate and~~
3889 ~~expedite the acquisition of land, water areas, and related~~
3890 ~~resources required to accomplish the purposes of this act.~~ The
3891 Land Acquisition Trust Fund shall be held and administered by
3892 the department. All moneys and revenue from the ~~operation,~~
3893 ~~management, sale, lease, or other disposition of land, water~~
3894 ~~areas, or related resources acquired on or after July 1, 2015,~~
3895 under the Florida Forever Program, ~~and the facilities thereon~~
3896 ~~acquired or constructed under this act~~ shall be deposited into
3897 ~~in~~ or credited to the Land Acquisition Trust Fund or, if
3898 required by bond covenants, into the trust fund from which the
3899 lands were purchased. ~~Moneys accruing to any agency for the~~
3900 ~~purposes enumerated in this act may be deposited in this fund.~~
3901 ~~There shall also be deposited into the Land Acquisition Trust~~
3902 ~~Fund other moneys as authorized by appropriate act of the~~
3903 ~~Legislature.~~ All moneys so deposited into the Land Acquisition
3904 Trust Fund shall be trust funds for the uses and purposes herein
3905 set forth, within the meaning of s. 215.32(1)(b); and such
3906 moneys shall not become or be commingled with the General
3907 Revenue Fund of the state, as defined by s. 215.32(1)(a).

3908 (2) Funds distributed into ~~The moneys on deposit in the~~
3909 Land Acquisition Trust Fund pursuant to s. 201.15(1) shall be
3910 ~~first~~ applied first to:

3911 (a) Pay debt service or to fund debt service reserve funds,
3912 rebate obligations, or other amounts payable with respect to
3913 Florida Forever bonds issued under s. 215.63; pay into the State
3914 Treasury to the credit of the Save Our Everglades Trust Fund
3915 amounts necessary to pay debt service, provide reserves, and pay

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3916 rebate obligations and other amounts due with respect to bonds
3917 issued under s. 215.619; and pay debt service or funding of debt
3918 service reserve funds, rebate obligations, or other amounts
3919 payable with respect to the bonds issued under s. 373.584; and

3920 (b) Distribute \$32 million to the South Florida Water
3921 Management District for the Long-Term Plan as defined in s.
3922 373.4592(2). This paragraph expires July 1, 2024 ~~pay the rentals~~
3923 ~~due under lease purchase agreements or to meet debt service~~
3924 ~~requirements of revenue bonds issued pursuant to s. 375.051;~~
3925 ~~provided, however, that debt service on Save Our Coast bonds~~
3926 ~~shall not be paid from moneys transferred to the Land~~
3927 ~~Acquisition Trust Fund pursuant to s. 259.032(2)(b).~~

3928 (3)~~(a)~~ Any remaining moneys in the Land Acquisition Trust
3929 Fund which are not distributed ~~pledged for rentals or debt~~
3930 ~~service~~ as provided in subsection (2) may be expended from time
3931 to time for the purposes set forth in s. 28, Art. X of the State
3932 Constitution to acquire land, water areas, and related resources
3933 ~~and to construct, improve, enlarge, extend, operate, and~~
3934 ~~maintain capital improvements and facilities in accordance with~~
3935 ~~the plan. Moneys accruing to other agencies for the purposes~~
3936 designated in subsection (1) shall be transferred pursuant to
3937 nonoperating budget authority under s. 216.181(12). Agencies
3938 shall maintain the integrity of such transferred moneys. Any
3939 transferred moneys available from reversions or reductions of
3940 budget authority in the other agencies shall be transferred back
3941 to the Land Acquisition Trust Fund in the Department of
3942 Environmental Protection within 15 days after such reversion or
3943 reduction and must be available for future appropriation
3944 pursuant to s. 28, Art. X of the State Constitution.

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3945 ~~(b) In addition to the uses allowed under paragraph (a),~~
3946 ~~for the 2014-2015 fiscal year, moneys in the Land Acquisition~~
3947 ~~Trust Fund may be transferred to support the Total Maximum Daily~~
3948 ~~Loads Program as provided in the General Appropriations Act.~~
3949 ~~This paragraph expires July 1, 2015.~~

3950 ~~(c) For the 2014-2015 fiscal year only, moneys in the Land~~
3951 ~~Acquisition Trust Fund may be transferred to the Save Our~~
3952 ~~Everglades Trust Fund to support Everglades restoration projects~~
3953 ~~included in the final report of the Select Committee on Indian~~
3954 ~~River Lagoon and Lake Okeechobee Basin, dated November 8, 2013,~~
3955 ~~and to the Florida Forever Trust Fund for the Florida Forever~~
3956 ~~program pursuant to nonoperating budget authority under s.~~
3957 ~~216.181(12). This paragraph expires July 1, 2015.~~

3958 ~~(4) The department may disburse moneys in the Land~~
3959 ~~Acquisition Trust Fund to pay all necessary expenses to carry~~
3960 ~~out the purposes of this act. The department shall disburse~~
3961 ~~moneys from the Land Acquisition Trust Fund to the Fish and~~
3962 ~~Wildlife Conservation Commission for the purpose of funding law~~
3963 ~~enforcement services on state lands.~~

3964 ~~(4)~~(5) When the Legislature has authorized the Department
3965 of Environmental Protection to condemn a specific parcel of land
3966 and such parcel already has been approved for acquisition
3967 through the fund, the land may be acquired in accordance with
3968 the provisions of chapter 73 or chapter 74, and the fund may be
3969 used to pay the condemnation award and all costs, including a
3970 reasonable attorney ~~attorney's~~ fee, associated with
3971 condemnation.

3972 Section 50. Subsection (2) of section 375.044, Florida
3973 Statutes, is amended to read:

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3974 375.044 Land Acquisition Trust Fund budget request.-
3975 (2) The legislative budget request shall be submitted to
3976 the Executive Office of the Governor and the Legislature in
3977 conjunction with the provisions of ss. 216.023, 216.031, and
3978 216.043. The 10-year request shall include, but need ~~shall~~ not
3979 be limited to:

3980 (a) A 10-year annual cash-flow analysis of the Land
3981 Acquisition Trust Fund.

3982 ~~(b) The requested schedule of the agency for issuance of~~
3983 ~~Save Our Coasts bonds.~~

3984 (b) ~~(e)~~ Forecasts of anticipated revenues to the Land
3985 Acquisition Trust Fund.

3986 (c) ~~(d)~~ The estimate of the agency of Land Acquisition Trust
3987 Fund encumbrances and commitments for each year and the
3988 corresponding estimates of expenditures.

3989 Section 51. Section 375.045, Florida Statutes, is repealed.
3990 Section 52. Subsection (1) and paragraph (c) of subsection
3991 (2) of section 375.075, Florida Statutes, are amended to read:
3992 375.075 Outdoor recreation; financial assistance to local
3993 governments.-

3994 (1) The Department of Environmental Protection is
3995 authorized to establish the Florida Recreation Development
3996 Assistance Program to provide grants subject to legislative
3997 appropriation to qualified local governmental entities to
3998 acquire or develop land for public outdoor recreation purposes.
3999 ~~To the extent not needed for debt service on bonds issued~~
4000 ~~pursuant to s. 375.051, each year the department shall develop~~
4001 ~~and plan a program which shall be based upon funding of not less~~
4002 ~~than 5 percent of the money credited to the Land Acquisition~~

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4003 ~~Trust Fund pursuant to s. 201.15(2) and (3) in that year. The~~
 4004 ~~department shall develop and plan a program that must which~~
 4005 ~~shall be based upon the ~~cumulative total~~ funding appropriated by~~
 4006 ~~the Legislature for such purpose provided from this section and~~
 4007 ~~from the Florida Forever Trust Fund pursuant to s.~~
 4008 ~~259.105(3)(d).~~

4009 (2)

4010 (c) Funds may not be released under ~~No release of funds~~
 4011 ~~from the Land Acquisition Trust Fund, or from the Florida~~
 4012 ~~Forever Trust Fund beginning in fiscal year 2001-2002, for this~~
 4013 ~~program may be made~~ for these public recreation projects until
 4014 the projects have been selected through the competitive
 4015 selection process provided for in this section.

4016 Section 53. Section 376.11, Florida Statutes, is amended to
 4017 read:

4018 376.11 Florida Coastal Protection Trust Fund.—

4019 (1) The purpose of this section is to provide a mechanism
 4020 to have financial resources immediately available for prevention
 4021 of, and cleanup and rehabilitation after, a pollutant discharge,
 4022 to prevent further damage by the pollutant, and to pay for
 4023 damages. It is the legislative intent that this section be
 4024 liberally construed to effect the purposes set forth, such
 4025 interpretation being especially imperative in light of the
 4026 danger to the environment and resources.

4027 (2) The Florida Coastal Protection Trust Fund is
 4028 established, to be used by the department and the Fish and
 4029 Wildlife Conservation Commission as a nonlapsing revolving fund
 4030 ~~for carrying out the purposes of ss. 376.011-376.21.~~

4031 (3) The following funds shall be deposited into the Florida

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4032 Coastal Protection Trust Fund: ~~To this fund shall be credited~~
4033 (a) All registration fees, penalties, judgments, damages
4034 recovered pursuant to s. 376.121, other fees and charges related
4035 to ss. 376.011-376.21, and the excise tax revenues levied,
4036 collected, and credited pursuant to ss. 206.9935(1) and
4037 206.9945(1) (a);
4038 (b) Proceeds of fines and awards of damages pursuant to s.
4039 161.054; and
4040 (c) Funds from other sources otherwise specified by law.
4041 (4) Charges against the fund shall be in accordance with
4042 this section.
4043 (5) ~~(3)~~ Moneys in the fund that are not needed currently to
4044 meet the obligations of the department in the exercise of its
4045 responsibilities under ss. 376.011-376.21 shall be deposited
4046 with the Chief Financial Officer to the credit of the fund and
4047 may be invested in such manner as is provided for by statute.
4048 Interest received on such investment shall be credited to the
4049 fund, except as otherwise specified herein.
4050 (6) ~~(4)~~ Moneys in the Florida Coastal Protection Trust Fund
4051 may shall be used disbursed for the following purposes ~~and no~~
4052 ~~others:~~
4053 (a) Carrying out the purposes of ss. 376.011-376.21.
4054 (b) ~~(a)~~ Administrative expenses, personnel expenses, and
4055 equipment costs of the department and the Fish and Wildlife
4056 Conservation Commission related to the enforcement of ss.
4057 376.011-376.21.
4058 (c) ~~(b)~~ All costs involved in the prevention and abatement
4059 of pollution related to the discharge of pollutants covered by
4060 ss. 376.011-376.21 and the abatement of other potential

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4061 pollution hazards as authorized herein.

4062 (d)~~(e)~~ All costs and expenses of the cleanup, restoration,
4063 and rehabilitation of waterfowl, wildlife, and all other natural
4064 resources damaged by the discharge of pollutants, including the
4065 costs of assessing and recovering damages to natural resources,
4066 whether performed or authorized by the department or any other
4067 state or local agency.

4068 (e)~~(d)~~ All provable costs and damages which are the
4069 proximate results of the discharge of pollutants covered by ss.
4070 376.011-376.21.

4071 (f)~~(e)~~ Loans to the Inland Protection Trust Fund created in
4072 s. 376.3071.

4073 (g)~~(f)~~ The interest earned from investments of the balance
4074 in the Florida Coastal Protection Trust Fund shall be used for
4075 funding the administrative expenses, personnel expenses, and
4076 equipment costs of the department relating to the enforcement of
4077 ss. 376.011-376.21.

4078 (h)~~(g)~~ The funding of a grant program to local governments,
4079 pursuant to s. 376.15(3)(d) and (e), for the removal of derelict
4080 vessels from the public waters of the state.

4081 (i)~~(h)~~ The department may spend up to \$1 million per year
4082 from the principal of the fund to acquire, design, train, and
4083 maintain emergency cleanup response teams and equipment located
4084 at appropriate ports throughout the state for the purpose of
4085 cleaning oil and other toxic materials from coastal waters. When
4086 the teams and equipment are not needed for these purposes they
4087 may be used for any other valid purpose of the department.

4088 (j)~~(i)~~ To provide a temporary transfer of funds in an
4089 amount not to exceed \$10 million to the Minerals Trust Fund as

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4090 set forth in s. 376.40.

4091 (k)~~(j)~~ Funding for marine law enforcement.

4092 (7)~~(5)~~ Any interest in lands acquired using moneys in the
4093 Florida Coastal Protection Trust Fund shall be held by the
4094 Trustees of the Internal Improvement Trust Fund, and such lands
4095 shall be acquired pursuant to the procedures set forth in s.
4096 253.025.

4097 (8)~~(6)~~ The department shall recover to the use of the fund
4098 from the person or persons causing the discharge or from the
4099 Federal Government, jointly and severally, all sums owed or
4100 expended from the fund, pursuant to s. 376.123(10), except that
4101 recoveries resulting from damage due to a discharge of a
4102 pollutant or other similar disaster shall be apportioned between
4103 the Florida Coastal Protection Trust Fund and the General
4104 Revenue Fund so as to repay the full costs to the General
4105 Revenue Fund of any sums disbursed therefrom as a result of such
4106 disaster. Requests for reimbursement to the fund for the above
4107 costs, if not paid within 30 days of demand, shall be turned
4108 over to the Department of Legal Affairs for collection.

4109 Section 54. Subsection (8) of section 376.123, Florida
4110 Statutes, is amended to read:

4111 376.123 Claims against the Florida Coastal Protection Trust
4112 Fund.—

4113 (8) If a person chooses to make a claim against the fund
4114 and accepts payment from, or a judgment against, the fund, then
4115 the department shall be subrogated to any cause of action that
4116 the claimant may have had, to the extent of such payment or
4117 judgment, and shall diligently pursue recovery on that cause of
4118 action pursuant to subsection (10) and s. 376.11(8) ~~s.~~

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4119 ~~376.11(6)~~. In any such action, the amount of damages shall be
4120 proved by the department by submitting to the court a written
4121 report of the amounts paid or owed from the fund to claimants.
4122 Such written report shall be admissible as evidence, and the
4123 amounts paid from or owed by the fund to the claimants stated
4124 therein shall be irrebuttably presumed to be the amount of
4125 damages.

4126 Section 55. Paragraphs (g) through (m) are added to
4127 subsection (1) of section 376.307, Florida Statutes, subsection
4128 (4) of that section is amended, and subsection (8) is added to
4129 that section, to read:

4130 376.307 Water Quality Assurance Trust Fund.—

4131 (1) The Water Quality Assurance Trust Fund is intended to
4132 serve as a broad-based fund for use in responding to incidents
4133 of contamination that pose a serious danger to the quality of
4134 groundwater and surface water resources or otherwise pose a
4135 serious danger to the public health, safety, or welfare. Moneys
4136 in this fund may be used:

4137 (g) For detailed planning for and implementation of
4138 programs for the management and restoration of ecosystems.

4139 (h) For development and implementation of surface water
4140 improvement and management plans and programs under ss. 373.451-
4141 373.4595.

4142 (i) For activities to restore polluted areas of the state,
4143 as defined by the department, to their condition before
4144 pollution occurred or to otherwise enhance pollution control
4145 activities.

4146 (j) For activities undertaken by the department to recover
4147 moneys as a result of actions against a person for a violation

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4148 of chapter 373.

4149 (k) Funding activities described in s. 403.086(9) which are
4150 authorized for implementation under the Leah Schad Memorial
4151 Ocean Outfall Program.

4152 (l) Funding activities to restore or rehabilitate injured
4153 or destroyed coral reefs.

4154 (m) For paying the outstanding and final debt service on
4155 bonds issued before February 1, 2009, by the South Florida Water
4156 Management District and the St. Johns River Water Management
4157 District which are secured by revenues provided pursuant to
4158 former s. 373.59, Florida Statutes 2014, or to fund debt service
4159 reserve funds, rebate obligations, or other amounts payable with
4160 respect to such bonds. This paragraph expires August 1, 2016.

4161 (4) The trust fund shall be funded as follows:

4162 (a) An annual transfer of interest funds from the Florida
4163 Coastal Protection Trust Fund pursuant to s. 376.11(6)(g) ~~s.~~
4164 ~~376.11(4)(f)~~.

4165 (b) All excise taxes levied, collected, and credited to the
4166 Water Quality Assurance Trust Fund in accordance with the
4167 provisions of ss. 206.9935(2) and 206.9945(1)(b).

4168 (c) All penalties, judgments, recoveries, reimbursements,
4169 and other fees and charges related to the enforcement of ss.
4170 376.30-376.317, other than penalties, judgments, and other fees
4171 and charges related to the enforcement of ss. 376.3071 and
4172 376.3073.

4173 (d) The fee on the retail sale of lead-acid batteries
4174 credited to the Water Quality Assurance Trust Fund under s.
4175 403.7185.

4176 (e) All penalties, judgments, recoveries, reimbursements,

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4177 loans, and other fees and charges collected under s. 376.3078;
4178 tax revenues levied, collected, and credited under ss. 376.70
4179 and 376.75; and registration fees collected under s.
4180 376.303(1)(d).

4181 (f) All civil penalties recovered pursuant to s.
4182 373.129(5)(a).

4183 (g) Funds appropriated by the Legislature for the purposes
4184 of ss. 373.451-373.4595.

4185 (h) Moneys collected pursuant to s. 403.121 and designated
4186 for deposit into the Water Quality Assurance Trust Fund.

4187 (i) Moneys recovered by the state as a result of actions
4188 against a person for a violation of chapter 373 or chapter 403
4189 initiated by the department.

4190 (j) Damages recovered for coral reef protection pursuant to
4191 s. 403.93345.

4192 (k) Funds available for the Leah Schad Memorial Ocean
4193 Outfall Program pursuant to s. 403.08601.

4194 (l) Funds received by the state for injury to or
4195 destruction of coral reefs, which moneys would otherwise be
4196 deposited into the General Revenue Fund or the Internal
4197 Improvement Trust Fund. The department may enter into settlement
4198 agreements that require responsible parties to pay a third party
4199 to fund projects related to the restoration of a coral reef, to
4200 accomplish mitigation for injury to a coral reef, or to support
4201 the activities of law enforcement agencies related to coral reef
4202 injury response, investigation, and assessment. Participation of
4203 a law enforcement agency in the receipt of funds through this
4204 mechanism shall be at the law enforcement agency's discretion.

4205 (m) Moneys from sources otherwise specified by law.

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4206 (8) A settlement entered into by the department may not
4207 limit the Legislature's authority to appropriate moneys from the
4208 trust fund; however, the department may enter into a settlement
4209 in which the department agrees to request that moneys received
4210 pursuant to the settlement will be included in its legislative
4211 budget request for purposes set out in the settlement; and
4212 further, the department may enter into a settlement in cases
4213 involving joint enforcement with the Hillsborough County
4214 pollution control program, as a program approved by the
4215 department pursuant to s. 403.182, in which the department
4216 agrees that moneys are to be deposited into that local program's
4217 pollution recovery fund and used for projects directed toward
4218 addressing the environmental damage that was the cause of action
4219 for which funds were received.

4220 Section 56. Subsection (4) of section 376.40, Florida
4221 Statutes, is amended to read:

4222 376.40 Petroleum exploration and production; purposes;
4223 funding.—

4224 (4) FUNDING.—There shall be deposited in the Minerals Trust
4225 Fund:

4226 (a) All fees charged permittees under ss. 377.24(1),
4227 377.2408(1), and 377.2425(1) (b).

4228 (b) All penalties, judgments, recoveries, reimbursements,
4229 and other fees and charges related to the implementation of this
4230 section.

4231 (c) Any other funds required to be deposited in the trust
4232 fund under provisions of law.

4233
4234 If moneys on deposit in the trust fund are not sufficient to

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4235 satisfy the needed remedial or corrective action, and if the
 4236 responsible party does not take remedial and corrective action
 4237 in a timely manner or if a catastrophic event occurs, a
 4238 temporary transfer of the required amount, or a maximum of \$10
 4239 million, from the Florida Coastal Protection Trust Fund pursuant
 4240 to s. 376.11(6)(j) ~~s. 376.11(4)(i)~~ is authorized. The Florida
 4241 Coastal Protection Trust Fund shall be reimbursed immediately
 4242 upon deposit into the Minerals Trust Fund of moneys referred to
 4243 in paragraph (b).

4244 Section 57. Section 379.202, Florida Statutes, is repealed.

4245 Section 58. Subsection (2) of section 379.206, Florida
 4246 Statutes, is amended to read:

4247 379.206 Grants and Donations Trust Fund.—

4248 (2) The fund is established for use as a depository for
 4249 funds to be used for allowable grant and donor agreement
 4250 activities funded by restricted contractual revenue. Moneys to
 4251 be credited to the trust fund shall consist of grants and
 4252 donations from private and public nonfederal sources,
 4253 development-of-regional-impact wildlife mitigation
 4254 contributions, interest earnings, and cash advances from other
 4255 trust funds.

4256 Section 59. Section 379.212, Florida Statutes, is amended
 4257 to read:

4258 379.212 Land Acquisition Trust Fund.—

4259 (1)(a) There is established within the Fish and Wildlife
 4260 Conservation Commission the Land Acquisition Trust Fund to
 4261 implement s. 28, Art. X of the State Constitution ~~for the~~
 4262 ~~purpose of acquiring, assisting other agencies or local~~
 4263 ~~governments in acquiring, or managing lands important to the~~

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4264 ~~conservation of fish and wildlife.~~

4265 (b) The Fish and Wildlife Conservation Commission or its
4266 designee shall manage such lands for the primary purpose of
4267 maintaining and enhancing their habitat value for fish and
4268 wildlife. Other uses may be allowed that are not contrary to
4269 this purpose.

4270 (c) ~~If~~ Where acquisition pursuant to this section will
4271 result in state ownership of land, title shall be vested in the
4272 Board of Trustees of the Internal Improvement Trust Fund as
4273 required in chapter 253. Land acquisition pursuant to this
4274 section shall be voluntary, negotiated acquisition and, ~~if~~ where
4275 title is to be vested in the Board of Trustees of the Internal
4276 Improvement Trust Fund, is subject to the acquisition procedures
4277 of s. 253.025.

4278 (d) Acquisition costs shall include purchase prices and
4279 costs and fees associated with title work, surveys, and
4280 appraisals required to complete an acquisition.

4281 (2) The fund may be credited with funds transferred from
4282 the Land Acquisition Trust Fund within the Department of
4283 Environmental Protection as provided in s. 375.041 ~~Moneys which~~
4284 ~~may be deposited into the Land Acquisition Trust Fund for the~~
4285 ~~purposes of this section may include, but not be limited to,~~
4286 ~~donations, grants, development of regional impact wildlife~~
4287 ~~mitigation contributions, or legislative appropriations.~~
4288 ~~Preservation 2000 acquisition moneys and Conservation and~~
4289 ~~Recreation Lands management moneys shall not be deposited into~~
4290 ~~this fund.~~

4291 (3) The Fish and Wildlife Conservation Commission shall
4292 maintain the integrity of such moneys transferred from the

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4293 Department of Environmental Protection. Any transferred moneys
 4294 available from reversions and reductions in budget authority
 4295 shall be transferred back to the Land Acquisition Trust Fund in
 4296 the Department of Environmental Protection within 15 days after
 4297 such reversion or reduction and must be available for future
 4298 appropriation pursuant to s. 28, Art. X of the State
 4299 Constitution.

4300 Section 60. Effective upon becoming a law, all undisbursed,
 4301 unobligated balances and all certified forward appropriations
 4302 remaining in the Land Acquisition Trust Fund within the Fish and
 4303 Wildlife Conservation Commission on June 30, 2015, shall be
 4304 transferred to the Grants and Donations Trust Fund, FLAIR number
 4305 77-2-339, within the Fish and Wildlife Conservation Commission.

4306 Section 61. Subsection (2) of section 379.214, Florida
 4307 Statutes, is amended to read:

4308 379.214 Invasive Plant Control Trust Fund.—

4309 (2) Funds to be credited to and uses of the trust fund
 4310 shall be administered in accordance with the provisions of ss.
 4311 ~~201.15,~~ 206.606, 328.76, 369.20, 369.22, 369.252, and 379.502.

4312 Section 62. Subsection (3) of section 379.362, Florida
 4313 Statutes, is amended to read:

4314 379.362 Wholesale and retail saltwater products dealers;
 4315 regulation.—

4316 (3) OYSTER MANAGEMENT AND RESTORATION PROGRAMS.—The
 4317 Department of Agriculture and Consumer Services shall use ~~or~~
 4318 ~~distribute~~ funds appropriated from the Land Acquisition Trust
 4319 Fund within the department paid into the State Treasury to the
 4320 ~~credit of the General Inspection Trust Fund pursuant to s.~~
 4321 ~~201.15, less reasonable costs of administration,~~ to fund the

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4322 following oyster management and restoration programs in
4323 Apalachicola Bay and other oyster harvest areas in the state:

4324 (a) The relaying and transplanting of live oysters.

4325 (b) Shell planting to construct or rehabilitate oyster
4326 bars.

4327 (c) Education programs for licensed oyster harvesters on
4328 oyster biology, aquaculture, boating and water safety,
4329 sanitation, resource conservation, small business management,
4330 and other relevant subjects.

4331 (d) Research directed toward the enhancement of oyster
4332 production in the bay and the water management needs of the bay.

4333 Section 63. Subsection (12) of section 380.0666, Florida
4334 Statutes, is amended to read:

4335 380.0666 Powers of land authority.—The land authority shall
4336 have all the powers necessary or convenient to carry out and
4337 effectuate the purposes and provisions of this act, including
4338 the following powers, which are in addition to all other powers
4339 granted by other provisions of this act:

4340 (12) To identify parcels of land within the area or areas
4341 of critical state concern that would be appropriate acquisitions
4342 by the state ~~from the Conservation and Recreational Lands Trust~~
4343 ~~Fund~~ and recommend such acquisitions to the advisory council
4344 established pursuant to s. 259.035 or its successor.

4345 Section 64. Section 380.0677, Florida Statutes, is
4346 repealed.

4347 Section 65. Subsection (11) of section 380.507, Florida
4348 Statutes, is amended to read:

4349 380.507 Powers of the trust.—The trust shall have all the
4350 powers necessary or convenient to carry out the purposes and

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4351 provisions of this part, including:

4352 (11) To make rules necessary to carry out the purposes of
4353 this part and to exercise any power granted in this part,
4354 pursuant to ~~the provisions of~~ chapter 120. The trust shall adopt
4355 rules governing the acquisition of lands with using proceeds
4356 from ~~the Preservation 2000 Trust Fund and the Florida Forever~~
4357 Trust Fund, consistent with the intent expressed in the Florida
4358 Forever Act. Such rules for land acquisition must include, but
4359 are not limited to, procedures for appraisals and
4360 confidentiality consistent with ss. 125.355(1)(a) and (b) and
4361 166.045(1)(a) and (b), a method of determining a maximum
4362 purchase price, and procedures to assure that the land is
4363 acquired in a voluntarily negotiated transaction, surveyed,
4364 conveyed with marketable title, and examined for hazardous
4365 materials contamination. Land acquisition procedures of a local
4366 land authority created pursuant to s. 380.0663 ~~or s. 380.0677~~
4367 may be used for the land acquisition programs described in
4368 former s. 259.101(3)(c), Florida Statutes 2014, and in s.
4369 259.105 if within areas of critical state concern designated
4370 pursuant to s. 380.05, subject to approval of the trust.

4371 Section 66. Subsection (4) of section 380.508, Florida
4372 Statutes, is amended to read:

4373 380.508 Projects; development, review, and approval.—

4374 (4) Projects or activities which the trust undertakes,
4375 coordinates, or funds in any manner shall comply with the
4376 following guidelines:

4377 (a) The purpose of redevelopment projects shall be to
4378 restore areas which are adversely affected by scattered
4379 ownership, poor lot layout, inadequate park and open space,

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4380 incompatible land uses, or other conditions which endanger the
4381 environment or impede orderly development. Grants and loans
4382 awarded for redevelopment projects shall be used for assembling
4383 parcels of land within redevelopment project areas for the
4384 redesign of such areas and for the installation of public
4385 improvements required to serve such areas. After redesign and
4386 installation of public improvements, if any, lands in
4387 redevelopment projects, with the exception of lands acquired for
4388 public purposes, shall be conveyed to any person for development
4389 in accordance with a redevelopment project plan approved
4390 according to this part.

4391 (b) The purpose of resource enhancement projects shall be
4392 to enhance natural resources which, because of indiscriminate
4393 dredging or filling, improper location of improvements, natural
4394 or human-induced events, or incompatible land uses, have
4395 suffered loss of natural and scenic values. Grants and loans
4396 awarded for resource enhancement projects shall be used for the
4397 assembly of parcels of land to improve resource management, for
4398 relocation of improperly located or designed improvements, and
4399 for other corrective measures which will enhance the natural and
4400 scenic character of project areas.

4401 (c) The purpose of public access projects shall be to
4402 acquire interests in and initially develop lands which are
4403 suitable for and which will be used for public accessways to
4404 surface waters. The trust shall identify local governments and
4405 nonprofit organizations which will accept responsibility for
4406 maintenance and liability for public accessways which are
4407 located outside the state park system. The trust may lease any
4408 public access site developed under this part to a local

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4409 government or nonprofit organization, provided that the
4410 conditions of the lease guarantee public use of the site. The
4411 trust may accept, from any local government or nonprofit
4412 organization, fees collected for providing public access to
4413 surface waters. The trust shall expend any such funds it accepts
4414 only for acquisition, development, and maintenance of such
4415 public accessways. To the maximum extent possible, the trust
4416 shall expend such fees in the general area where they are
4417 collected or in areas where public access to surface waters is
4418 clearly deficient. The trust may transfer funds, including such
4419 fees, to a local government or nonprofit organization to acquire
4420 public access sites. In developing or coordinating public access
4421 projects, the trust shall ensure that project plans involving
4422 beach access are consistent with state laws governing beach
4423 access.

4424 (d) The purpose of urban waterfront restoration projects
4425 shall be to restore deteriorated or deteriorating urban
4426 waterfronts for public use and enjoyment. Urban waterfront
4427 restoration projects shall include public access sites.

4428 (e) The purpose of working waterfront projects shall be to
4429 restore and preserve working waterfronts as provided in s.
4430 380.5105.

4431 (f) The trust shall cooperate with local governments, state
4432 agencies, federal agencies, and nonprofit organizations in
4433 ensuring the reservation of lands for parks, recreation, fish
4434 and wildlife habitat, historical preservation, or scientific
4435 study. If ~~In the event that~~ any local government, state agency,
4436 federal agency, or nonprofit organization is unable, due to
4437 limited financial resources or other circumstances of a

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4438 temporary nature, to acquire a site for the purposes described
4439 in this paragraph, the trust may acquire and hold the site for
4440 subsequent conveyance to the appropriate governmental agency or
4441 nonprofit organization. The trust may provide such technical
4442 assistance as ~~is~~ required to aid local governments, state and
4443 federal agencies, and nonprofit organizations in completing
4444 acquisition and related functions. The trust may ~~shall~~ not
4445 reserve lands acquired in accordance with this paragraph for
4446 more than 5 years from the time of acquisition. A local
4447 government, federal or state agency, or nonprofit organization
4448 may acquire the land at any time during this period for public
4449 purposes. The purchase price shall be based upon the trust's
4450 cost of acquisition, plus administrative and management costs in
4451 reserving the land. The payment of the ~~this~~ purchase price shall
4452 be by money, trust-approved property of an equivalent value, or
4453 a combination of money and trust-approved property. If, after
4454 the 5-year period, the trust has not sold to a governmental
4455 agency or nonprofit organization land acquired for site
4456 reservation, the trust shall dispose of such land at fair market
4457 value or shall trade it for other land of comparable value which
4458 will serve to accomplish the purposes of this part. Any proceeds
4459 from the sale of such land shall be deposited into ~~in~~ the
4460 appropriate Florida Communities trust fund pursuant to s.
4461 253.034(6)(k), (l), or (m). All moneys and revenue from the
4462 operation, management, lease, or other disposition of land,
4463 water areas, related resources, and the facilities thereon
4464 acquired or constructed under this part shall be credited to or
4465 deposited into the Internal Improvement Trust Fund.
4466

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4467 Project costs may include costs of providing parks, open space,
4468 public access sites, scenic easements, and other areas and
4469 facilities serving the public where such features are part of a
4470 project plan approved according to this part. In undertaking or
4471 coordinating projects or activities authorized by this part, the
4472 trust shall, when appropriate, use and promote the use of
4473 creative land acquisition methods, including the acquisition of
4474 less than fee interest through, among other methods,
4475 conservation easements, transfer of development rights, leases,
4476 and leaseback arrangements. The trust ~~also~~ shall assist local
4477 governments in the use of sound alternative methods of financing
4478 for funding projects and activities authorized under ~~by~~ this
4479 part. Any funds over and above eligible project costs, which
4480 remain after completion of a project approved according to this
4481 part, shall be transmitted to the state and deposited into ~~in~~
4482 the Florida Forever ~~Florida Communities~~ Trust Fund.

4483 Section 67. Paragraph (f) of subsection (3) and subsections
4484 (5) and (7) of section 380.510, Florida Statutes, are amended to
4485 read:

4486 380.510 Conditions of grants and loans.—

4487 (3) In the case of a grant or loan for land acquisition,
4488 agreements shall provide all of the following:

4489 ~~(f) The term of any grant using funds received from the~~
4490 ~~Preservation 2000 Trust Fund, pursuant to s. 259.101(3)(c),~~
4491 ~~shall be for a period not to exceed 24 months. The governing~~
4492 ~~board of the trust may offer a grant with a shorter term and may~~
4493 ~~extend a grant beyond 24 months when the grant recipient~~
4494 ~~demonstrates that significant progress is being made toward~~
4495 ~~closing the project or that extenuating circumstances warrant an~~

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4496 ~~extension of time. If a local government project which was~~
4497 ~~awarded a grant is not closed within 24 months and the governing~~
4498 ~~board of the trust does not grant an extension, the grant~~
4499 ~~reverts to the trust's unencumbered balance of Preservation 2000~~
4500 ~~funds to be redistributed to other eligible projects. The local~~
4501 ~~government may reapply for a grant to fund the project in the~~
4502 ~~trust's next application cycle.~~

4503
4504 Any deed or other instrument of conveyance whereby a nonprofit
4505 organization or local government acquires real property under
4506 this section shall set forth the interest of the state. The
4507 trust shall keep at least one copy of any such instrument and
4508 shall provide at least one copy to the Board of Trustees of the
4509 Internal Improvement Trust Fund.

4510 (5) Any funds the trust collects from a nonprofit
4511 organization or local government under a grant or loan agreement
4512 shall be deposited into in the Internal Improvement Florida
4513 ~~Communities~~ Trust Fund within the Department of Environmental
4514 Protection.

4515 (7) Any funds received by the trust ~~from the Preservation~~
4516 ~~2000 Trust Fund~~ pursuant to s. 259.105(3)(c) or s. 375.041 s.
4517 ~~259.101(3)(c) and the Florida Forever Trust Fund pursuant to s.~~
4518 ~~259.105(3)(c)~~ shall be held separate and apart from any other
4519 funds held by the trust and ~~shall be~~ used for the land
4520 acquisition purposes of this part. ~~In addition to the other~~
4521 ~~conditions set forth in this section, the disbursement of~~
4522 ~~Preservation 2000 and Florida Forever funds from the trust shall~~
4523 ~~be subject to the following conditions:~~

4524 (a) The administration and use of Florida Forever ~~any~~ funds

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4525 ~~are received by the trust from the Preservation 2000 Trust Fund~~
4526 ~~and the Florida Forever Trust Fund shall be~~ subject to such
4527 terms and conditions imposed thereon by the agency of the state
4528 responsible for the bonds, the proceeds of which are deposited
4529 into ~~in the Preservation 2000 Trust Fund and the Florida Forever~~
4530 Trust Fund, including restrictions imposed to ensure that the
4531 interest on any such bonds issued by the state as tax-exempt
4532 bonds is ~~will~~ not be included in the gross income of the holders
4533 of such bonds for federal income tax purposes.

4534 (b) All deeds or leases with respect to any real property
4535 acquired with funds received by the trust from the Preservation
4536 2000 Trust Fund, the Florida Forever Trust Fund, or the Land
4537 Acquisition Trust Fund must ~~shall~~ contain such covenants and
4538 restrictions as are sufficient to ensure that the use of such
4539 real property at all times complies with s. 375.051 and s. 9,
4540 Art. XII of the State Constitution. Each deed ~~All deeds~~ or lease
4541 ~~leases~~ with respect to any real property acquired with funds
4542 received by the trust from the Florida Forever Trust Fund before
4543 July 1, 2015, must ~~shall~~ contain ~~such~~ covenants and restrictions
4544 ~~as are~~ sufficient to ensure that the use of such real property
4545 at all times complies with s. 11(e), Art. VII of the State
4546 Constitution. Each deed or lease with respect to any real
4547 property acquired with funds received by the trust from the
4548 Florida Forever Trust Fund after July 1, 2015, must contain
4549 covenants and restrictions sufficient to ensure that the use of
4550 such real property at all times complies with s. 28, Art. X of
4551 the State Constitution. Each deed or lease must ~~shall~~ contain a
4552 reversion, conveyance, or termination clause that vests ~~will~~
4553 ~~vest~~ title in the Board of Trustees of the Internal Improvement

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4554 Trust Fund if any of the covenants or restrictions are violated
4555 by the titleholder or leaseholder or by some third party with
4556 the knowledge of the titleholder or leaseholder.

4557 Section 68. Section 380.511, Florida Statutes, is repealed.

4558 Section 69. Subsection (2) of section 403.0615, Florida
4559 Statutes, is amended to read:

4560 403.0615 Water resources restoration and preservation.—

4561 (2) Subject to specific legislative appropriation, the
4562 department shall establish a program to assist in the
4563 restoration and preservation of bodies of water and to enhance
4564 existing public access when deemed necessary for the enhancement
4565 of the restoration effort. ~~This program shall be funded from the
4566 General Revenue Fund, from funds available from the Ecosystem
4567 Management and Restoration Trust Fund, and from available
4568 federal moneys.~~

4569 Section 70. Section 403.08601, Florida Statutes, is amended
4570 to read:

4571 403.08601 Leah Schad Memorial Ocean Outfall Program.—The
4572 Legislature declares that as funds become available the state
4573 may assist the local governments and agencies responsible for
4574 implementing the Leah Schad Memorial Ocean Outfall Program
4575 pursuant to s. 403.086(9). Funds received from other sources
4576 provided for in law, the General Appropriations Act, from gifts
4577 designated for implementation of the plan from individuals,
4578 corporations, or other entities, or federal funds appropriated
4579 by Congress for implementation of the plan, may be deposited
4580 into an account of the Water Quality Assurance Ecosystem
4581 ~~Management and Restoration Trust Fund created pursuant to s.~~
4582 ~~403.1651.~~

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4583 Section 71. Subsection (11) of section 403.121, Florida
4584 Statutes, is amended to read:

4585 403.121 Enforcement; procedure; remedies.—The department
4586 shall have the following judicial and administrative remedies
4587 available to it for violations of this chapter, as specified in
4588 s. 403.161(1).

4589 (11) Penalties collected pursuant to this section shall be
4590 deposited into ~~in~~ the Water Quality Assurance Ecosystem
4591 ~~Management and Restoration~~ Trust Fund or other trust fund
4592 designated by statute and shall be used to fund the restoration
4593 of ecosystems, or polluted areas of the state, as defined by the
4594 department, to their condition before pollution occurred. The
4595 Florida Conflict Resolution Consortium may use a portion of the
4596 fund to administer the mediation process provided in paragraph
4597 (2) (e) and to contract with private mediators for administrative
4598 penalty cases.

4599 Section 72. Section 403.1651, Florida Statutes, is
4600 repealed.

4601 Section 73. Subsection (1) of section 403.885, Florida
4602 Statutes, is amended to read:

4603 403.885 Water Projects Grant Program.—

4604 (1) The Department of Environmental Protection shall
4605 administer a grant program to use funds ~~transferred pursuant to~~
4606 ~~s. 212.20 to the Ecosystem Management and Restoration Trust Fund~~
4607 ~~or other moneys~~ as appropriated by the Legislature for water
4608 quality improvement, stormwater management, wastewater
4609 management, and water restoration and other water projects as
4610 specifically appropriated by the Legislature. Eligible
4611 recipients of such grants include counties, municipalities,

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4612 water management districts, and special districts that have
 4613 legal responsibilities for water quality improvement, water
 4614 management, stormwater management, wastewater management, lake
 4615 and river water restoration projects, and drinking water
 4616 projects pursuant to this section.

4617 Section 74. Section 403.8911, Florida Statutes, is
 4618 repealed.

4619 Section 75. Subsection (6) of section 403.9325, Florida
 4620 Statutes, is amended to read:

4621 403.9325 Definitions.—For the purposes of ss. 403.9321-
 4622 403.9333, the term:

4623 (6) "Public lands set aside for conservation or
 4624 preservation" means:

4625 (a) Lands and interests acquired with funds deposited into
 4626 the Land Acquisition Trust Fund pursuant to s. 28(a), Art. X of
 4627 the State Constitution;

4628 (b)~~(a)~~ Conservation and recreation lands under chapter 259;

4629 (c)~~(b)~~ State and national parks;

4630 (d)~~(e)~~ State and national reserves and preserves, except as
 4631 provided in s. 403.9326(3);

4632 (e)~~(d)~~ State and national wilderness areas;

4633 (f)~~(e)~~ National wildlife refuges (only those lands under
 4634 Federal Government ownership);

4635 (g)~~(f)~~ Lands acquired through the former Water Management
 4636 Lands Trust Fund, Save Our Rivers Program;

4637 (h)~~(g)~~ Lands acquired under the Save Our Coast program;

4638 (i)~~(h)~~ Lands acquired under the environmentally endangered
 4639 lands bond program;

4640 (j)~~(i)~~ Public lands designated as conservation or

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4641 preservation under a local government comprehensive plan;
4642 (k)~~(j)~~ Lands purchased by a water management district, the
4643 Fish and Wildlife Conservation Commission, or any other state
4644 agency for conservation or preservation purposes;

4645 (l)~~(k)~~ Public lands encumbered by a conservation easement
4646 that does not provide for the trimming of mangroves; and

4647 (m)~~(l)~~ Public lands designated as critical wildlife areas
4648 by the Fish and Wildlife Conservation Commission.

4649 Section 76. Paragraph (f) of subsection (3) and subsection
4650 (11) of section 403.93345, Florida Statutes, are amended to
4651 read:

4652 403.93345 Coral reef protection.—

4653 (3) As used in this section, the term:

4654 (f) "Fund" means the Water Quality Assurance Ecosystem
4655 ~~Management and Restoration~~ Trust Fund.

4656 (11) All damages recovered by or on behalf of this state
4657 for injury to, or destruction of, the coral reefs of the state
4658 that would otherwise be deposited in the general revenue
4659 accounts of the State Treasury or in the Internal Improvement
4660 Trust Fund shall be deposited into ~~in~~ the Water Quality
4661 Assurance Ecosystem Management and Restoration Trust Fund in the
4662 department and shall remain in such account until expended by
4663 the department for the purposes of this section. Moneys in the
4664 fund received from damages recovered for injury to, or
4665 destruction of, coral reefs must be expended only for the
4666 following purposes:

4667 (a) To provide funds to the department for reasonable costs
4668 incurred in obtaining payment of the damages for injury to, or
4669 destruction of, coral reefs, including administrative costs and

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4670 costs of experts and consultants. Such funds may be provided in
4671 advance of recovery of damages.

4672 (b) To pay for restoration or rehabilitation of the injured
4673 or destroyed coral reefs or other natural resources by a state
4674 agency or through a contract to any qualified person.

4675 (c) To pay for alternative projects selected by the
4676 department. Any such project shall be selected on the basis of
4677 its anticipated benefits to the residents of this state who used
4678 the injured or destroyed coral reefs or other natural resources
4679 or will benefit from the alternative project.

4680 (d) All claims for trust fund reimbursements under
4681 paragraph (a) must be made within 90 days after payment of
4682 damages is made to the state.

4683 (e) Each private recipient of fund disbursements shall be
4684 required to agree in advance that its accounts and records of
4685 expenditures of such moneys are subject to audit at any time by
4686 appropriate state officials and to submit a final written report
4687 describing such expenditures within 90 days after the funds have
4688 been expended.

4689 (f) When payments are made to a state agency from the fund
4690 for expenses compensable under this subsection, such
4691 expenditures shall be considered as being for extraordinary
4692 expenses, and no agency appropriation shall be reduced by any
4693 amount as a result of such reimbursement.

4694 Section 77. Subsections (5) and (6) of section 420.5092,
4695 Florida Statutes, are amended to read:

4696 420.5092 Florida Affordable Housing Guarantee Program.—

4697 (5) Pursuant to s. 16, Art. VII of the State Constitution,
4698 the corporation may issue, in accordance with s. 420.509,

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4699 revenue bonds of the corporation to establish the guarantee
4700 fund. The ~~Such~~ revenue bonds are ~~shall be~~ primarily payable from
4701 and secured by annual debt service reserves, from interest
4702 earned on funds on deposit in the guarantee fund, from fees,
4703 charges, and reimbursements established by the corporation for
4704 the issuance of affordable housing guarantees, and from any
4705 other revenue sources received by the corporation and deposited
4706 by the corporation into the guarantee fund for the issuance of
4707 affordable housing guarantees. If ~~To the extent~~ such primary
4708 revenue sources are considered insufficient by the corporation,
4709 pursuant to the certification provided in subsection (6), to
4710 fully fund the annual debt service reserve, the certified
4711 deficiency in such reserve is also ~~shall be~~ additionally payable
4712 from the first proceeds of the documentary stamp tax moneys
4713 deposited into the State Housing Trust Fund pursuant to s.
4714 201.15(4) (c) and (d) ~~s. 201.15(9) (a) and (10) (a)~~ during the
4715 ensuing state fiscal year.

4716 (6) (a) If the primary revenue sources to be used for
4717 repayment of revenue bonds used to establish the guarantee fund
4718 are insufficient for such repayment, the annual principal and
4719 interest due on each series of revenue bonds is ~~shall be~~ payable
4720 from funds in the annual debt service reserve. The corporation
4721 shall, before June 1 of each year, perform a financial audit to
4722 determine whether at the end of the state fiscal year there will
4723 be on deposit in the guarantee fund an annual debt service
4724 reserve from interest earned pursuant to the investment of the
4725 guarantee fund, fees, charges, and reimbursements received from
4726 issued affordable housing guarantees and other revenue sources
4727 available to the corporation. Based upon the findings in such

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4728 guarantee fund financial audit, the corporation shall certify to
4729 the Chief Financial Officer the amount of any projected
4730 deficiency in the annual debt service reserve for any series of
4731 outstanding bonds as of the end of the state fiscal year and the
4732 amount necessary to maintain such annual debt service reserve.
4733 Upon receipt of such certification, the Chief Financial Officer
4734 shall transfer to the annual debt service reserve, from the
4735 first available taxes distributed to the State Housing Trust
4736 Fund pursuant to s. 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and~~
4737 ~~(10)(a)~~ during the ensuing state fiscal year, the amount
4738 certified as necessary to maintain the annual debt service
4739 reserve.

4740 (b) If the claims payment obligations under affordable
4741 housing guarantees from amounts on deposit in the guarantee fund
4742 would cause the claims paying rating assigned to the guarantee
4743 fund to be less than the third-highest rating classification of
4744 any nationally recognized rating service, which classifications
4745 being consistent with s. 215.84(3) and rules adopted thereto by
4746 the State Board of Administration, the corporation shall certify
4747 to the Chief Financial Officer the amount of such claims payment
4748 obligations. Upon receipt of such certification, the Chief
4749 Financial Officer shall transfer to the guarantee fund, from the
4750 first available taxes distributed to the State Housing Trust
4751 Fund pursuant to s. 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and~~
4752 ~~(10)(a)~~ during the ensuing state fiscal year, the amount
4753 certified as necessary to meet such obligations, such transfer
4754 to be subordinate to any transfer referenced in paragraph (a)
4755 and not to exceed 50 percent of the amounts distributed to the
4756 State Housing Trust Fund pursuant to s. 201.15(4)(c) and (d) ~~s.~~

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4757 ~~201.15(9)(a) and (10)(a)~~ during the preceding state fiscal year.

4758 Section 78. Subsections (1), (2), and (3) of section
4759 420.9073, Florida Statutes, are amended to read:

4760 420.9073 Local housing distributions.—

4761 (1) Distributions calculated in this section shall be
4762 disbursed on a quarterly or more frequent basis by the
4763 corporation pursuant to s. 420.9072, subject to availability of
4764 funds. Each county's share of the funds to be distributed from
4765 the portion of the funds in the Local Government Housing Trust
4766 Fund received pursuant to s. 201.15(4)(c) ~~s. 201.15(9)~~ shall be
4767 calculated by the corporation for each fiscal year as follows:

4768 (a) Each county other than a county that has implemented
4769 ~~the provisions of~~ chapter 83-220, Laws of Florida, as amended by
4770 chapters 84-270, 86-152, and 89-252, Laws of Florida, shall
4771 receive the guaranteed amount for each fiscal year.

4772 (b) Each county other than a county that has implemented
4773 ~~the provisions of~~ chapter 83-220, Laws of Florida, as amended by
4774 chapters 84-270, 86-152, and 89-252, Laws of Florida, may
4775 receive an additional share calculated as follows:

4776 1. Multiply each county's percentage of the total state
4777 population excluding the population of any county that has
4778 implemented ~~the provisions of~~ chapter 83-220, Laws of Florida,
4779 as amended by chapters 84-270, 86-152, and 89-252, Laws of
4780 Florida, by the total funds to be distributed.

4781 2. If the result in subparagraph 1. is less than the
4782 guaranteed amount as determined in subsection (3), that county's
4783 additional share shall be zero.

4784 3. For each county in which the result in subparagraph 1.
4785 is greater than the guaranteed amount as determined in

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4786 subsection (3), the amount calculated in subparagraph 1. shall
4787 be reduced by the guaranteed amount. The result for each such
4788 county shall be expressed as a percentage of the amounts so
4789 determined for all counties. Each such county shall receive an
4790 additional share equal to such percentage multiplied by the
4791 total funds received by the Local Government Housing Trust Fund
4792 pursuant to s. 201.15(4)(c) ~~s. 201.15(9)~~ reduced by the
4793 guaranteed amount paid to all counties.

4794 (2) Distributions calculated in this section shall be
4795 disbursed on a quarterly or more frequent basis by the
4796 corporation pursuant to s. 420.9072, subject to availability of
4797 funds. Each county's share of the funds to be distributed from
4798 the portion of the funds in the Local Government Housing Trust
4799 Fund received pursuant to s. 201.15(4)(d) ~~s. 201.15(10)~~ shall be
4800 calculated by the corporation for each fiscal year as follows:

4801 (a) Each county shall receive the guaranteed amount for
4802 each fiscal year.

4803 (b) Each county may receive an additional share calculated
4804 as follows:

4805 1. Multiply each county's percentage of the total state
4806 population, by the total funds to be distributed.

4807 2. If the result in subparagraph 1. is less than the
4808 guaranteed amount as determined in subsection (3), that county's
4809 additional share shall be zero.

4810 3. For each county in which the result in subparagraph 1.
4811 is greater than the guaranteed amount, the amount calculated in
4812 subparagraph 1. shall be reduced by the guaranteed amount. The
4813 result for each such county shall be expressed as a percentage
4814 of the amounts so determined for all counties. Each such county

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4815 shall receive an additional share equal to this percentage
4816 multiplied by the total funds received by the Local Government
4817 Housing Trust Fund pursuant to s. 201.15(4)(d) ~~s. 201.15(10)~~ as
4818 reduced by the guaranteed amount paid to all counties.

4819 (3) Calculation of guaranteed amounts:

4820 (a) The guaranteed amount under subsection (1) shall be
4821 calculated for each state fiscal year by multiplying \$350,000 by
4822 a fraction, the numerator of which is the amount of funds
4823 distributed to the Local Government Housing Trust Fund pursuant
4824 to s. 201.15(4)(c) ~~s. 201.15(9)~~ and the denominator of which is
4825 the total amount of funds distributed to the Local Government
4826 Housing Trust Fund pursuant to s. 201.15.

4827 (b) The guaranteed amount under subsection (2) shall be
4828 calculated for each state fiscal year by multiplying \$350,000 by
4829 a fraction, the numerator of which is the amount of funds
4830 distributed to the Local Government Housing Trust Fund pursuant
4831 to s. 201.15(4)(d) ~~s. 201.15(10)~~ and the denominator of which is
4832 the total amount of funds distributed to the Local Government
4833 Housing Trust Fund pursuant to s. 201.15.

4834 Section 79. Section 570.207, Florida Statutes, is repealed.

4835 Section 80. Subsection (2) of section 570.321, Florida
4836 Statutes, is amended to read:

4837 570.321 Plant Industry Trust Fund.—

4838 (2) Funds to be credited to and uses of the trust fund
4839 shall be administered in accordance with ss. ~~259.032~~, 581.031,
4840 581.141, 581.211, 581.212, 586.045, 586.15, 586.16, 593.114, and
4841 593.117.

4842 Section 81. Subsection (12) of section 570.71, Florida
4843 Statutes, is amended to read:

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4844 570.71 Conservation easements and agreements.—

4845 (12) The department may use appropriated funds from the
4846 following sources to implement this section:

4847 (a) State funds;

4848 (b) Federal funds;

4849 (c) Other governmental entities;

4850 (d) Nongovernmental organizations; or

4851 (e) Private individuals.

4852

4853 Any such funds provided, other than from the Land Acquisition
4854 Trust Fund, shall be deposited into the Incidental Conservation
4855 and Recreation Lands Program Trust Fund within the Department of
4856 Agriculture and Consumer Services and used for the purposes of
4857 this section, including administrative and operating expenses
4858 related to appraisals, mapping, title process, personnel, and
4859 other real estate expenses.

4860 Section 82. Paragraph (c) of subsection (1) of section
4861 895.09, Florida Statutes, is amended to read:

4862 895.09 Disposition of funds obtained through forfeiture
4863 proceedings.—

4864 (1) A court entering a judgment of forfeiture in a
4865 proceeding brought pursuant to s. 895.05 shall retain
4866 jurisdiction to direct the distribution of any cash or of any
4867 cash proceeds realized from the forfeiture and disposition of
4868 the property. The court shall direct the distribution of the
4869 funds in the following order of priority:

4870 (c) Any claim by the Board of Trustees of the Internal
4871 Improvement Trust Fund on behalf of the Internal Improvement
4872 Trust Fund or the ~~Land Acquisition~~ trust fund used pursuant to

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4873 s. 253.03(12), not including administrative costs of the
4874 Department of Environmental Protection previously paid directly
4875 from the Internal Improvement Trust Fund in accordance with
4876 legislative appropriation.

4877 Section 83. For the purpose of incorporating the amendment
4878 made by this act to section 201.15, Florida Statutes, in a
4879 reference thereto, subsection (6) of section 339.2818, Florida
4880 Statutes, is reenacted to read:

4881 339.2818 Small County Outreach Program.—

4882 (6) Funds paid into the State Transportation Trust Fund
4883 pursuant to s. 201.15 for the purposes of the Small County
4884 Outreach Program are hereby annually appropriated for
4885 expenditure to support the Small County Outreach Program.

4886 Section 84. For the purpose of incorporating the amendment
4887 made by this act to section 201.15, Florida Statutes, in a
4888 reference thereto, subsection (5) of section 339.2819, Florida
4889 Statutes, is reenacted to read:

4890 339.2819 Transportation Regional Incentive Program.—

4891 (5) Funds paid into the State Transportation Trust Fund
4892 pursuant to s. 201.15 for the purposes of the Transportation
4893 Regional Incentive Program are hereby annually appropriated for
4894 expenditure to support that program.

4895 Section 85. For the purpose of incorporating the amendment
4896 made by this act to section 201.15, Florida Statutes, in a
4897 reference thereto, subsection (3) of section 339.61, Florida
4898 Statutes, is reenacted to read:

4899 339.61 Florida Strategic Intermodal System; legislative
4900 findings, declaration, and intent.—

4901 (3) Funds paid into the State Transportation Trust Fund

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4902 pursuant to s. 201.15 for the purposes of the Florida Strategic
4903 Intermodal System are hereby annually appropriated for
4904 expenditure to support that program.

4905 Section 86. For the purpose of incorporating the amendment
4906 made by this act to section 201.15, Florida Statutes, in a
4907 reference thereto, subsection (6) of section 341.051, Florida
4908 Statutes, is reenacted to read:

4909 341.051 Administration and financing of public transit and
4910 intercity bus service programs and projects.—

4911 (6) ANNUAL APPROPRIATION.—Funds paid into the State
4912 Transportation Trust Fund pursuant to s. 201.15 for the New
4913 Starts Transit Program are hereby annually appropriated for
4914 expenditure to support the New Starts Transit Program.

4915
4916 For purposes of this section, the term “net operating costs”
4917 means all operating costs of a project less any federal funds,
4918 fares, or other sources of income to the project.

4919 Section 87. For the purpose of incorporating the amendment
4920 made by this act to section 201.15, Florida Statutes, in a
4921 reference thereto, paragraph (e) of subsection (4) of section
4922 373.470, Florida Statutes, is reenacted to read:

4923 373.470 Everglades restoration.—

4924 (4) SAVE OUR EVERGLADES TRUST FUND; FUNDS AUTHORIZED FOR
4925 DEPOSIT.—The following funds may be deposited into the Save Our
4926 Everglades Trust Fund created by s. 373.472 to finance
4927 implementation of the comprehensive plan, the Lake Okeechobee
4928 Watershed Protection Plan, the River Watershed Protection Plans,
4929 and the Keys Wastewater Plan:

4930 (e) Funds made available pursuant to s. 201.15 for debt

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4931 service for Everglades restoration bonds.

4932 Section 88. For the purpose of incorporating the amendment
4933 made by this act to section 201.15, Florida Statutes, in a
4934 reference thereto, subsection (1) of section 420.9079, Florida
4935 Statutes, is reenacted to read:

4936 420.9079 Local Government Housing Trust Fund.—

4937 (1) There is created in the State Treasury the Local
4938 Government Housing Trust Fund, which shall be administered by
4939 the corporation on behalf of the department according to the
4940 provisions of ss. 420.907-420.9076 and this section. There shall
4941 be deposited into the fund a portion of the documentary stamp
4942 tax revenues as provided in s. 201.15, moneys received from any
4943 other source for the purposes of ss. 420.907-420.9076 and this
4944 section, and all proceeds derived from the investment of such
4945 moneys. Moneys in the fund that are not currently needed for the
4946 purposes of the programs administered pursuant to ss. 420.907-
4947 420.9076 and this section shall be deposited to the credit of
4948 the fund and may be invested as provided by law. The interest
4949 received on any such investment shall be credited to the fund.

4950 Section 89. For the purpose of incorporating the amendment
4951 made by this act to section 375.041, Florida Statutes, in a
4952 reference thereto, paragraph (b) of subsection (3) of section
4953 258.015, Florida Statutes, is reenacted to read:

4954 258.015 Citizen support organizations; use of property;
4955 audit.—

4956 (3) PARTNERSHIPS IN PARKS.—

4957 (b) The Legislature may annually appropriate funds from the
4958 Land Acquisition Trust Fund for use only as state matching
4959 funds, in conjunction with private donations in aggregates of at

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4960 least \$60,000 matched by \$40,000 of state funds for a total
4961 minimum project amount of \$100,000 for capital improvement
4962 facility development at state parks, at either individually
4963 designated parks or for priority projects within the overall
4964 state park system. Not more than 30 percent of the Land
4965 Acquisition Trust Fund unencumbered fund balance or \$3 million,
4966 whichever is less, shall be reserved, available annually for
4967 matching private donations. The amount held in reserve for the
4968 state match will be no greater than \$6 million for any fiscal
4969 year. State funds from the Land Acquisition Trust Fund or other
4970 appropriate funding sources shall be used for matching private
4971 donations for 40 percent of the projects' costs. Funds held in
4972 reserve for the purposes of this subsection shall be available
4973 only after the requirements of s. 375.041(3) are met. Citizen
4974 support organizations organized and operating for the benefit of
4975 state parks may acquire private donations pursuant to this
4976 section, and matching state funds for approved projects may be
4977 provided in accordance with this subsection. The department is
4978 authorized to properly recognize and honor a private donor by
4979 placing a plaque or other appropriate designation noting the
4980 contribution on project facilities or by naming project
4981 facilities after the person or organization that provided
4982 matching funds. The department is authorized to adopt necessary
4983 administrative rules to carry out the purposes of this
4984 subsection.

4985 Section 90. For the purpose of incorporating the amendment
4986 made by this act to section 376.307, Florida Statutes, in a
4987 reference thereto, subsection (2) of section 287.0595, Florida
4988 Statutes, is reenacted to read:

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4989 287.0595 Pollution response action contracts; department
4990 rules.—

4991 (2) In adopting rules under this section, the Department of
4992 Environmental Protection shall follow the criteria applicable to
4993 the department's contracting to the maximum extent possible,
4994 consistent with the goals and purposes of ss. 376.307 and
4995 376.3071.

4996 Section 91. Except as otherwise expressly provided in this
4997 act and except for this section, which shall take effect upon
4998 this act becoming law, this act shall take effect July 1, 2015.