

HB 7073

2015

1 A bill to be entitled
2 An act relating to trust funds; terminating the
3 Central Florida Beltway Trust Fund within the
4 Department of Transportation; providing for the
5 disposition of balances in and revenues of the trust
6 fund; prescribing procedures for termination of the
7 trust fund; repealing s. 338.250, F.S., relating to
8 Central Florida Beltway Mitigation; repealing
9 paragraph (2)(a) of s. 2 of chapter 2004-235, Laws Of
10 Florida, relating to an exemption from termination of
11 trust funds; amending ss. 259.101 and 259.105, F.S.,
12 relating to the Florida Preservation 2000 Act and the
13 Florida Forever Act, respectively; conforming
14 provisions to changes made by the act; providing an
15 effective date.

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

18
19 Section 1. (1) The Central Florida Beltway Trust Fund,
20 FLAIR number 55-2-074, within the Department of Transportation
21 is terminated.

22 (2) All current balances remaining in, and all revenues
23 of, the Central Florida Beltway Trust Fund shall be transferred
24 to the State Transportation Trust Fund.

25 (3) The Department of Transportation shall pay any
26 outstanding debts and obligations of the terminated trust fund

HB 7073

2015

27 as soon as practicable, and the Chief Financial Officer shall
28 close out and remove the terminated trust fund from the various
29 state accounting systems using generally accepted accounting
30 principles concerning outstanding warrants, assets, and
31 liabilities.

32 Section 2. Section 338.250, Florida Statutes, is repealed.

33 Section 3. Paragraph (a) of subsection (2) of section 2 of
34 chapter 2004-235, Laws of Florida, is repealed.

35 Section 4. Subsection (3) of section 259.101, Florida
36 Statutes, is amended to read:

37 259.101 Florida Preservation 2000 Act.—

38 (3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.—Less the costs
39 of issuance, the costs of funding reserve accounts, and other
40 costs with respect to the bonds, the proceeds of bonds issued
41 pursuant to this act shall be deposited into the Florida
42 Preservation 2000 Trust Fund created by s. 375.045. In fiscal
43 year 2000-2001, for each Florida Preservation 2000 program
44 described in paragraphs (a)-(g), that portion of each program's
45 total remaining cash balance which, as of June 30, 2000, is in
46 excess of that program's total remaining appropriation balances
47 shall be redistributed by the department and deposited into the
48 Save Our Everglades Trust Fund for land acquisition. For
49 purposes of calculating the total remaining cash balances for
50 this redistribution, the Florida Preservation 2000 Series 2000
51 bond proceeds, including interest thereon, and the fiscal year
52 1999-2000 General Appropriations Act amounts shall be deducted

53 from the remaining cash and appropriation balances,
54 respectively. The remaining proceeds shall be distributed by the
55 Department of Environmental Protection in the following manner:

56 (a) Fifty percent to the Department of Environmental
57 Protection for the purchase of public lands as described in s.
58 259.032. Of this 50 percent, at least one-fifth shall be used
59 for the acquisition of coastal lands.

60 (b) Thirty percent to the Department of Environmental
61 Protection for the purchase of water management lands pursuant
62 to s. 373.59, to be distributed among the water management
63 districts as provided in that section. Funds received by each
64 district may also be used for acquisition of lands necessary to
65 implement surface water improvement and management plans or for
66 acquisition of lands necessary to implement the Everglades
67 Construction Project authorized by s. 373.4592.

68 (c) Ten percent to the Department of Environmental
69 Protection to provide land acquisition grants and loans to local
70 governments through the Florida Communities Trust pursuant to
71 part III of chapter 380. From funds allocated to the trust, \$3
72 million annually shall be used by the Division of State Lands
73 within the Department of Environmental Protection to implement
74 the Green Swamp Land Protection Initiative specifically for the
75 purchase of conservation easements, as defined in s.
76 380.0677(3), of lands, or severable interests or rights in
77 lands, in the Green Swamp Area of Critical State Concern. From
78 funds allocated to the trust, \$3 million annually shall be used

79 | by the Monroe County Comprehensive Plan Land Authority
80 | specifically for the purchase of a real property interest in
81 | those lands subject to the Rate of Growth Ordinances adopted by
82 | local governments in Monroe County or those lands within the
83 | boundary of an approved Conservation and Recreation Lands
84 | project located within the Florida Keys or Key West Areas of
85 | Critical State Concern; however, title to lands acquired within
86 | the boundary of an approved Conservation and Recreation Lands
87 | project may, in accordance with an approved joint acquisition
88 | agreement, vest in the Board of Trustees of the Internal
89 | Improvement Trust Fund. Of the remaining funds, one-half shall
90 | be matched by local governments on a dollar-for-dollar basis. To
91 | the extent allowed by federal requirements for the use of bond
92 | proceeds, the trust shall expend Preservation 2000 funds to
93 | carry out the purposes of part III of chapter 380.

94 | (d) Two and nine-tenths percent to the Department of
95 | Environmental Protection for the purchase of inholdings and
96 | additions to state parks. For the purposes of this paragraph,
97 | "state park" means all real property in the state under the
98 | jurisdiction of the Division of Recreation and Parks of the
99 | department, or which may come under its jurisdiction.

100 | (e) Two and nine-tenths percent to the Florida Forest
101 | Service of the Department of Agriculture and Consumer Services
102 | to fund the acquisition of state forest inholdings and additions
103 | pursuant to s. 589.07.

104 | (f) Two and nine-tenths percent to the Fish and Wildlife

105 Conservation Commission to fund the acquisition of inholdings
 106 and additions to lands managed by the commission which are
 107 important to the conservation of fish and wildlife.

108 (g) One and three-tenths percent to the Department of
 109 Environmental Protection for the Florida Greenways and Trails
 110 Program, to acquire greenways and trails or greenways and trails
 111 systems pursuant to chapter 260, including, but not limited to,
 112 abandoned railroad rights-of-way and the Florida National Scenic
 113 Trail.

114
 115 Local governments may use federal grants or loans, private
 116 donations, or environmental mitigation funds, ~~including~~
 117 ~~environmental mitigation funds required pursuant to s. 338.250,~~
 118 for any part or all of any local match required for the purposes
 119 described in this subsection. Bond proceeds allocated pursuant
 120 to paragraph (c) may be used to purchase lands on the priority
 121 lists developed pursuant to s. 259.035. Title to lands purchased
 122 pursuant to paragraphs (a), (d), (e), (f), and (g) shall be
 123 vested in the Board of Trustees of the Internal Improvement
 124 Trust Fund. Title to lands purchased pursuant to paragraph (c)
 125 may be vested in the Board of Trustees of the Internal
 126 Improvement Trust Fund. The board of trustees shall hold title
 127 to land protection agreements and conservation easements that
 128 were or will be acquired pursuant to s. 380.0677, and the
 129 Southwest Florida Water Management District and the St. Johns
 130 River Water Management District shall monitor such agreements

HB 7073

2015

131 and easements within their respective districts until the state
132 assumes this responsibility.

133 Section 5. Paragraph (c) of subsection (3) of section
134 259.105, Florida Statutes, is amended to read:

135 259.105 The Florida Forever Act.—

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

142 (c) Twenty-one percent to the Department of Environmental
143 Protection for use by the Florida Communities Trust for the
144 purposes of part III of chapter 380, as described and limited by
145 this subsection, and grants to local governments or nonprofit
146 environmental organizations that are tax-exempt under s.
147 501(c)(3) of the United States Internal Revenue Code for the
148 acquisition of community-based projects, urban open spaces,
149 parks, and greenways to implement local government comprehensive
150 plans. From funds available to the trust and used for land
151 acquisition, 75 percent shall be matched by local governments on
152 a dollar-for-dollar basis. The Legislature intends that the
153 Florida Communities Trust emphasize funding projects in low-
154 income or otherwise disadvantaged communities and projects that
155 provide areas for direct water access and water-dependent
156 facilities that are open to the public and offer public access

157 | by vessels to waters of the state, including boat ramps and
158 | associated parking and other support facilities. At least 30
159 | percent of the total allocation provided to the trust shall be
160 | used in Standard Metropolitan Statistical Areas, but one-half of
161 | that amount shall be used in localities in which the project
162 | site is located in built-up commercial, industrial, or mixed-use
163 | areas and functions to intersperse open spaces within congested
164 | urban core areas. From funds allocated to the trust, no less
165 | than 5 percent shall be used to acquire lands for recreational
166 | trail systems, provided that in the event these funds are not
167 | needed for such projects, they will be available for other trust
168 | projects. Local governments may use federal grants or loans,
169 | private donations, or environmental mitigation funds, ~~including~~
170 | ~~environmental mitigation funds required pursuant to s. 338.250,~~
171 | for any part or all of any local match required for acquisitions
172 | funded through the Florida Communities Trust. Any lands
173 | purchased by nonprofit organizations using funds allocated under
174 | this paragraph must provide for such lands to remain permanently
175 | in public use through a reversion of title to local or state
176 | government, conservation easement, or other appropriate
177 | mechanism. Projects funded with funds allocated to the trust
178 | shall be selected in a competitive process measured against
179 | criteria adopted in rule by the trust.

180 | Section 6. This act shall take effect July 1, 2015.