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LEGISLATIVE ACTION

Senate	.	House
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06/19/2015 03:51 PM	.	06/19/2015 06:36 PM
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The Conference Committee on SB 2516-A recommended the following:

1           **Senate Conference Committee Amendment (with title**  
2 **amendment)**

3  
4           Delete everything after the enacting clause  
5 and insert:

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

8           (a) The Florida Preservation 2000 Trust Fund, FLAIR number  
9 37-2-332.

10           (b) The Florida Communities Trust Fund, FLAIR number 37-2-  
11 244.



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

14           (d) The Water Management Lands Trust Fund, FLAIR number 37-  
15 2-776.

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

18           (2) (a) All current balances remaining in the Florida  
19 Communities Trust Fund and the Florida Preservation 2000 Trust  
20 Fund shall be transferred to the Land Acquisition Trust Fund,  
21 FLAIR number 37-2-423.

22           (b) All current balances remaining in the Conservation and  
23 Recreation Lands Trust Fund shall be transferred to the General  
24 Revenue Fund.

25           (c) All current balances remaining in, and all revenues of,  
26 the Ecosystem Management and Restoration Trust Fund shall be  
27 transferred to the General Revenue Fund, except for balances  
28 associated with the Reef Grounding Program and the Pollution  
29 Recovery Restricted Accounts, which shall be transferred to the  
30 Water Quality Assurance Trust Fund, FLAIR number 37-2-780.

31           (d) All current balances remaining in, and all revenues of,  
32 the Water Management Lands Trust Fund shall be transferred to  
33 the General Revenue Fund, except for balances associated with  
34 debt service on bonds issued before February 1, 2009, by the  
35 South Florida Water Management District and the St. Johns River  
36 Water Management District, which shall be transferred to the  
37 Land Acquisition Trust Fund, FLAIR number 37-2-423.

38           (3) The Department of Environmental Protection shall pay  
39 any outstanding debts or obligations of the terminated trust  
40 funds as required, and the Chief Financial Officer shall close



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41 out and remove the terminated trust funds from the various state  
42 accounting systems using generally accepted accounting  
43 principles concerning warrants outstanding, assets, and  
44 liabilities.

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

48 (2) The Department of Agriculture and Consumer Services  
49 shall pay any outstanding debts or obligations of the terminated  
50 trust fund as soon as practicable, and the Chief Financial  
51 Officer shall close out and remove that terminated trust fund  
52 from the various state accounting systems using generally  
53 accepted accounting principles concerning warrants outstanding,  
54 assets, and liabilities.

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

58 (2) The Fish and Wildlife Conservation Commission shall pay  
59 any outstanding debts or obligations of the terminated trust  
60 fund as soon as practicable, and the Chief Financial Officer  
61 shall close out and remove that terminated trust fund from the  
62 various state accounting systems using generally accepted  
63 accounting principles concerning warrants outstanding, assets,  
64 and liabilities.

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

67 17.61 Chief Financial Officer; powers and duties in the  
68 investment of certain funds.-

69 (3)



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70           (e) Moneys in any land acquisition trust fund created or  
71 designated to receive funds under s. 28, Art. X of the State  
72 Constitution may not be invested as provided in this section,  
73 but shall be retained in those trust funds, with the interest  
74 appropriated to the General Revenue Fund, as provided in s.  
75 17.57.

76           Section 5. Section 161.05301, Florida Statutes, is  
77 repealed.

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

80           161.054 Administrative fines; liability for damage; liens.-

81           (3) The imposition of a fine or an award of damages  
82 pursuant to this section shall create a lien upon the real and  
83 personal property of the violator, enforceable by the department  
84 as are statutory liens under chapter 85. The proceeds of such  
85 fines and awards of damages shall be deposited in the Florida  
86 Coastal Protection ~~Ecosystem Management and Restoration~~ Trust  
87 Fund.

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

90           161.091 Beach management; funding; repair and maintenance  
91 strategy.-

92           (1) Subject to such appropriations as the Legislature may  
93 make therefor from time to time, disbursements from the Land  
94 Acquisition ~~Ecosystem Management and Restoration~~ Trust Fund may  
95 be made by the department in order to carry out the proper state  
96 responsibilities in a comprehensive, long-range, statewide beach  
97 management plan for erosion control; beach preservation,  
98 restoration, and nourishment; and storm and hurricane



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99 protection; and other activities authorized for beaches and  
100 shores pursuant to s. 28, Art. X of the State Constitution.

101 Legislative intent in appropriating such funds is for the  
102 implementation of those projects that contribute most  
103 significantly to addressing the state's beach erosion problems.

104 (3) In accordance with the intent expressed in s. 161.088  
105 and the legislative finding that erosion of the beaches of this  
106 state is detrimental to tourism, the state's major industry,  
107 further exposes the state's highly developed coastline to severe  
108 storm damage, and threatens beach-related jobs, which, if not  
109 stopped, may significantly reduce state sales tax revenues,  
110 funds deposited into the State Treasury to the credit of the  
111 Land Acquisition Ecosystem Management and Restoration Trust  
112 Fund, in the annual amounts provided in s. 201.15, shall be  
113 used, for a period of not less than 15 years, to fund the  
114 development, implementation, and administration of the state's  
115 beach management plan, as provided in ss. 161.091-161.212 and as  
116 authorized in s. 28, Art. X of the State Constitution, prior to  
117 the use of such funds deposited pursuant to s. 201.15 in that  
118 trust fund for any other purpose.

119 Section 8. Section 201.0205, Florida Statutes, is amended  
120 to read:

121 201.0205 Counties that have implemented ch. 83-220;  
122 inapplicability of 10-cent tax increase by s. 2, ch. 92-317,  
123 Laws of Florida.—The 10-cent tax increase in the documentary  
124 stamp tax levied by s. 2, chapter 92-317, does not apply to  
125 deeds and other taxable instruments relating to real property  
126 located in any county that has implemented the provisions of  
127 chapter 83-220, Laws of Florida, as amended by chapters 84-270,



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128 86-152, and 89-252, Laws of Florida. Each such county and each  
129 eligible jurisdiction within such county may ~~shall~~ not be  
130 ~~eligible to~~ participate in programs funded pursuant to s.  
131 201.15(4)(c) ~~s. 201.15(9)~~. However, each such county and each  
132 eligible jurisdiction within such county may ~~shall be eligible~~  
133 ~~to~~ participate in programs funded pursuant to s. 201.15(4)(d) ~~s.~~  
134 201.15(10).

135 Section 9. Section 201.15, Florida Statutes, is amended to  
136 read:

137 201.15 Distribution of taxes collected.—All taxes collected  
138 under this chapter are hereby pledged and shall be first made  
139 available to make payments when due on bonds issued pursuant to  
140 s. 215.618 or s. 215.619, or any other bonds authorized to be  
141 issued on a parity basis with such bonds. Such pledge and  
142 availability for the payment of these bonds shall have priority  
143 over any requirement for the payment of service charges or costs  
144 of collection and enforcement under this section. All taxes  
145 collected under this chapter, except taxes distributed to the  
146 Land Acquisition Trust Fund pursuant to subsections (1) and (2),  
147 are subject to the service charge imposed in s. 215.20(1).  
148 Before distribution pursuant to ~~under~~ this section, the  
149 Department of Revenue shall deduct amounts necessary to pay the  
150 costs of the collection and enforcement of the tax levied by  
151 this chapter. ~~The~~ Such costs and ~~the~~ service charge may not be  
152 levied against any portion of taxes pledged to debt service on  
153 bonds to the extent that the costs and service charge are  
154 required to pay any amounts relating to the bonds. ~~After~~  
155 distributions are made pursuant to subsection (1), All of the  
156 costs of the collection and enforcement of the tax levied by



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157 this chapter and the service charge shall be available and  
158 transferred to the extent necessary to pay debt service and any  
159 other amounts payable with respect to bonds authorized before  
160 January 1, 2015, secured by revenues distributed pursuant to  
161 this section ~~subsection (1)~~. All taxes remaining after deduction  
162 of costs ~~and the service charge~~ shall be distributed as follows:

163 (1) Amounts necessary to make payments on bonds issued  
164 pursuant to s. 215.618 or s. 215.619, as provided under  
165 paragraphs (3) (a) and (b), or on any other bonds authorized to  
166 be issued on a parity basis with such bonds shall be deposited  
167 into the Land Acquisition Trust Fund.

168 (2) If the amounts deposited pursuant to subsection (1) are  
169 less than 33 percent of all taxes collected after first  
170 deducting the costs of collection, an amount equal to 33 percent  
171 of all taxes collected after first deducting the costs of  
172 collection, minus the amounts deposited pursuant to subsection  
173 (1), shall be deposited into the Land Acquisition Trust Fund.

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

177 (a) Payment of ~~Amounts necessary to pay the debt service~~  
178 ~~on,~~ or funding of fund debt service reserve funds, rebate  
179 obligations, or other amounts payable with respect to  
180 ~~Preservation 2000 bonds issued pursuant to s. 375.051 and~~  
181 ~~Florida Forever bonds issued pursuant to s. 215.618, shall be~~  
182 ~~paid into the State Treasury to the credit of the Land~~  
183 ~~Acquisition Trust Fund to be used for such purposes. The amount~~  
184 ~~used for such purposes transferred to the Land Acquisition Trust~~  
185 ~~Fund may not exceed \$300 million in each fiscal year 1999-2000~~



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186 ~~and thereafter for Preservation 2000 bonds and bonds issued to~~  
187 ~~refund Preservation 2000 bonds, and \$300 million in fiscal year~~  
188 ~~2000-2001 and thereafter for Florida Forever bonds. The annual~~  
189 ~~amount transferred to the Land Acquisition Trust Fund for~~  
190 ~~Florida Forever bonds may not exceed \$30 million in the first~~  
191 ~~fiscal year in which bonds are issued. The limitation on the~~  
192 ~~amount transferred shall be increased by an additional \$30~~  
193 ~~million in each subsequent fiscal year, but may not exceed a~~  
194 ~~total of \$300 million in any fiscal year for all bonds issued.~~  
195 It is the intent of the Legislature that all bonds issued to  
196 fund the Florida Forever Act be retired by December 31, 2040.  
197 Except for bonds issued to refund previously issued bonds, no  
198 series of bonds may be issued pursuant to this paragraph unless  
199 such bonds are approved and the debt service for the remainder  
200 of the fiscal year in which the bonds are issued is specifically  
201 appropriated in the General Appropriations Act. ~~For purposes of~~  
202 ~~refunding Preservation 2000 bonds, amounts designated within~~  
203 ~~this section for Preservation 2000 and Florida Forever bonds may~~  
204 ~~be transferred between the two programs to the extent provided~~  
205 ~~for in the documents authorizing the issuance of the bonds. The~~  
206 ~~Preservation 2000 bonds and Florida Forever bonds are equally~~  
207 ~~and ratably secured by moneys distributable to the Land~~  
208 ~~Acquisition Trust Fund pursuant to this section, except as~~  
209 ~~specifically provided otherwise by the documents authorizing the~~  
210 ~~issuance of the bonds. Moneys transferred to the Land~~  
211 ~~Acquisition Trust Fund pursuant to this paragraph, or earnings~~  
212 ~~thereon, may not be used or made available to pay debt service~~  
213 ~~on the Save Our Coast revenue bonds.~~

214 (b) Payment of Moneys shall be paid into the State Treasury





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215 ~~to the credit of the Save Our Everglades Trust Fund in amounts~~  
216 ~~necessary to pay debt service, or funding of debt service~~  
217 ~~reserve funds provide reserves, and pay rebate obligations, or~~  
218 ~~and other amounts due with respect to Everglades restoration~~  
219 ~~bonds issued pursuant to under s. 215.619. Taxes distributed~~  
220 ~~under paragraph (a) and this paragraph must be collectively~~  
221 ~~distributed on a pro rata basis when the available moneys under~~  
222 ~~this subsection are not sufficient to cover the amounts required~~  
223 ~~under paragraph (a) and this paragraph.~~

224  
225 Bonds issued pursuant to s. 215.618 or s. 215.619 are equally  
226 and ratably secured by moneys distributable to the Land  
227 Acquisition Trust Fund.

228 (4) ~~(e)~~ After the required distributions to the Land  
229 Acquisition Trust Fund pursuant to subsections (1) and (2) and  
230 deduction of the service charge imposed pursuant to s. 215.20(1)  
231 payments under paragraphs (a) and (b), the remainder shall be  
232 distributed as follows paid into the State Treasury to the  
233 credit of:

234 (a) 1. The State Transportation Trust Fund in the Department  
235 of Transportation in the amount of The lesser of 24.18442 ~~38.2~~  
236 percent of the remainder or \$541.75 million in each fiscal year  
237 shall be paid into the State Treasury to the credit of the State  
238 Transportation Trust Fund. ~~Out~~ Of such funds, the first \$50  
239 million for the 2012-2013 fiscal year; ~~\$65 million for the 2013-~~  
240 2014 fiscal year; and \$75 million for each the 2014-2015 fiscal  
241 year and all subsequent years, shall be transferred to the State  
242 Economic Enhancement and Development Trust Fund within the  
243 Department of Economic Opportunity. Notwithstanding any other



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244 law, the remaining amount credited to the State Transportation  
245 Trust Fund shall ~~remainder is to~~ be used for ~~the following~~  
246 ~~specified purposes, notwithstanding any other law to the~~  
247 ~~contrary:~~

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

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

256 ~~3.e. For the purposes of~~ The Strategic Intermodal System  
257 specified in ss. 339.61, 339.62, 339.63, and 339.64, in the  
258 amount of 75 percent of the these funds after deduction of the  
259 payments required pursuant to subparagraphs 1. and 2. allocating  
260 ~~for the New Starts Transit Program described in sub-subparagraph~~  
261 ~~a. and the Small County Outreach Program described in sub-~~  
262 ~~subparagraph b.; and~~

263 ~~4.d. For the purposes of~~ The Transportation Regional  
264 Incentive Program specified in s. 339.2819, in the amount of 25  
265 percent of the these funds after deduction of the payments  
266 required pursuant to subparagraphs 1. and 2. allocating for the  
267 ~~New Starts Transit Program described in sub-subparagraph a. and~~  
268 ~~the Small County Outreach Program described in sub-subparagraph~~  
269 ~~b. Effective July 1, 2014, The first \$60 million of the funds~~  
270 ~~allocated pursuant to this subparagraph sub-subparagraph shall~~  
271 ~~be allocated annually to the Florida Rail Enterprise for the~~  
272 ~~purposes established in s. 341.303(5).~~



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273 ~~(b) 2. The Grants and Donations Trust Fund in the Department~~  
274 ~~of Economic Opportunity in the amount of~~ The lesser of 0.1456  
275 ~~.23~~ percent of the remainder or \$3.25 million in each fiscal  
276 year shall be paid into the State Treasury to the credit of the  
277 Grants and Donations Trust Fund in the Department of Economic  
278 Opportunity to fund technical assistance to local governments.

279 ~~3. The Ecosystem Management and Restoration Trust Fund in~~  
280 ~~the amount of the lesser of 2.12 percent of the remainder or \$30~~  
281 ~~million in each fiscal year, to be used for the preservation and~~  
282 ~~repair of the state's beaches as provided in ss. 161.091-~~  
283 ~~161.212.~~

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

288  
289 Moneys distributed pursuant to paragraphs (a) and (b) ~~this~~  
290 ~~paragraph~~ may not be pledged for debt service unless such pledge  
291 is approved by referendum of the voters.

292 ~~(d) After the required payments under paragraphs (a), (b),~~  
293 ~~and (c), the remainder shall be paid into the State Treasury to~~  
294 ~~the credit of the General Revenue Fund to be used and expended~~  
295 ~~for the purposes for which the General Revenue Fund was created~~  
296 ~~and exists by law.~~

297 ~~(2) The lesser of 7.56 percent of the remaining taxes or~~  
298 ~~\$84.9 million in each fiscal year shall be distributed as~~  
299 ~~follows:~~

300 ~~(a) Six million and three hundred thousand dollars shall be~~  
301 ~~paid into the State Treasury to the credit of the General~~



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302 ~~Revenue Fund.~~

303 ~~(b) The remainder shall be paid into the State Treasury to~~  
304 ~~the credit of the Land Acquisition Trust Fund. Sums deposited in~~  
305 ~~the fund pursuant to this subsection may be used for any purpose~~  
306 ~~for which funds deposited in the Land Acquisition Trust Fund may~~  
307 ~~lawfully be used.~~

308 ~~(3) (a) The lesser of 1.94 percent of the remaining taxes or~~  
309 ~~\$26 million in each fiscal year shall be distributed in the~~  
310 ~~following order:~~

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

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

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

320 ~~(b) Moneys deposited in the Land Acquisition Trust Fund~~  
321 ~~pursuant to this subsection shall be used to acquire coastal~~  
322 ~~lands or to pay debt service on bonds issued to acquire coastal~~  
323 ~~lands and to develop and manage lands acquired with moneys from~~  
324 ~~the trust fund.~~

325 ~~(4) The lesser of 4.2 percent of the remaining taxes or~~  
326 ~~\$60.5 million in each fiscal year shall be paid into the State~~  
327 ~~Treasury to the credit of the Water Management Lands Trust Fund.~~  
328 ~~Sums deposited in that fund may be used for any purpose~~  
329 ~~authorized in s. 373.59. An amount equal to the amounts~~  
330 ~~necessary to pay debt service or to fund debt service reserve~~



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331 ~~funds, rebate obligations, or other amounts payable with respect~~  
332 ~~to bonds authorized pursuant to s. 215.619(1)(a)2. and the~~  
333 ~~proviso associated with Specific Appropriation 1626A of the~~  
334 ~~2014-2015 General Appropriations Act shall be transferred~~  
335 ~~annually from the Water Management Lands Trust Fund to the~~  
336 ~~General Revenue Fund.~~

337 ~~(5) Of the remaining taxes, 3.52 percent shall be paid into~~  
338 ~~the State Treasury to the credit of the Conservation and~~  
339 ~~Recreation Lands Trust Fund to carry out the purposes set forth~~  
340 ~~in s. 259.032. Eleven and fifteen hundredths percent of the~~  
341 ~~amount credited to the Conservation and Recreation Lands Trust~~  
342 ~~Fund pursuant to this subsection shall be transferred to the~~  
343 ~~State Game Trust Fund and used for land management activities.~~

344 ~~(6) The lesser of 2.28 percent of the remaining taxes or~~  
345 ~~\$34.1 million in each fiscal year shall be paid into the State~~  
346 ~~Treasury to the credit of the Invasive Plant Control Trust Fund~~  
347 ~~to carry out the purposes set forth in ss. 369.22 and 369.252.~~

348 ~~(7) The lesser of .5 percent of the remaining taxes or \$9.3~~  
349 ~~million in each fiscal year shall be paid into the State~~  
350 ~~Treasury to the credit of the State Game Trust Fund to be used~~  
351 ~~exclusively for the purpose of implementing the Lake Restoration~~  
352 ~~2020 Program.~~

353 ~~(8) One-half of one percent of the remaining taxes shall be~~  
354 ~~paid into the State Treasury and divided equally to the credit~~  
355 ~~of the Department of Environmental Protection Water Quality~~  
356 ~~Assurance Trust Fund to address water quality impacts associated~~  
357 ~~with nonagricultural nonpoint sources and to the credit of the~~  
358 ~~Department of Agriculture and Consumer Services General~~  
359 ~~Inspection Trust Fund to address water quality impacts~~



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360 ~~associated with agricultural nonpoint sources, respectively.~~  
361 ~~These funds shall be used for research, development,~~  
362 ~~demonstration, and implementation of suitable best management~~  
363 ~~practices or other measures used to achieve water quality~~  
364 ~~standards in surface waters and water segments identified~~  
365 ~~pursuant to ss. 303(d) of the Clean Water Act, Pub. L. No. 92-~~  
366 ~~500, 33 U.S.C. ss. 1251 et seq. Implementation of best~~  
367 ~~management practices and other measures may include cost share~~  
368 ~~grants, technical assistance, implementation tracking, and~~  
369 ~~conservation leases or other agreements for water quality~~  
370 ~~improvement. The Department of Environmental Protection and the~~  
371 ~~Department of Agriculture and Consumer Services may adopt rules~~  
372 ~~governing the distribution of funds for implementation of best~~  
373 ~~management practices. The unobligated balance of funds received~~  
374 ~~from the distribution of taxes collected under this chapter to~~  
375 ~~address water quality impacts associated with nonagricultural~~  
376 ~~nonpoint sources must be excluded when calculating the~~  
377 ~~unobligated balance of the Water Quality Assurance Trust Fund as~~  
378 ~~it relates to the determination of the applicable excise tax~~  
379 ~~rate.~~

380 ~~(c) (9) Eleven and twenty-four ~~Seven and fifty-three~~~~  
381 ~~hundredths percent of the remainder ~~remaining taxes~~ in each~~  
382 ~~fiscal year shall be paid into the State Treasury to the credit~~  
383 ~~of the State Housing Trust Fund. ~~Out~~ Of such funds, ~~beginning in~~~~  
384 ~~the ~~2012-2013~~ fiscal year, the first \$35 million shall be~~  
385 ~~transferred annually, subject to any distribution required under~~  
386 ~~subsection (5) ~~(15)~~, to the State Economic Enhancement and~~  
387 ~~Development Trust Fund within the Department of Economic~~  
388 ~~Opportunity. The remainder shall be used as follows:~~



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

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

396           ~~(d) (10)~~ Twelve and ninety-three ~~Eight and sixty-six~~  
397 hundredths percent of the remainder ~~remaining taxes~~ in each  
398 fiscal year shall be paid into the State Treasury to the credit  
399 of the State Housing Trust Fund. ~~Out~~ Of such funds, ~~beginning in~~  
400 ~~the 2012-2013 fiscal year~~, the first \$40 million shall be  
401 transferred annually, subject to any distribution required under  
402 subsection (5) ~~(15)~~, to the State Economic Enhancement and  
403 Development Trust Fund within the Department of Economic  
404 Opportunity. The remainder shall be used as follows:

405           ~~1.(a)~~ Twelve and one-half percent of that amount shall be  
406 deposited into the State Housing Trust Fund and ~~be~~ expended by  
407 the Department of Economic Opportunity and ~~by~~ the Florida  
408 Housing Finance Corporation for the purposes for which the State  
409 Housing Trust Fund was created and exists by law.

410           ~~2.(b)~~ Eighty-seven and one-half percent of that amount  
411 shall be distributed to the Local Government Housing Trust Fund  
412 and used for the purposes for which the Local Government Housing  
413 Trust Fund was created and exists by law. Funds from this  
414 category may also be used to provide for state and local  
415 services to assist the homeless.

416           ~~(e)~~ The lesser of 0.017 percent of the remainder or  
417 \$300,000 in each fiscal year shall be paid into the State



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418 Treasury to the credit of the General Inspection Trust Fund to  
419 be used to fund oyster management and restoration programs as  
420 provided in s. 379.362(3).

421 ~~(11) The distribution of proceeds deposited into the Water~~  
422 ~~Management Lands Trust Fund and the Conservation and Recreation~~  
423 ~~Lands Trust Fund, pursuant to subsections (4) and (5), may not~~  
424 ~~be used for land acquisition but may be used for preacquisition~~  
425 ~~costs associated with land purchases. The Legislature intends~~  
426 ~~that the Florida Forever program supplant the acquisition~~  
427 ~~programs formerly authorized under ss. 259.032 and 373.59.~~

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

431 ~~(13) In each fiscal year that the remaining taxes exceed~~  
432 ~~collections in the prior fiscal year, the stated maximum dollar~~  
433 ~~amounts provided in subsections (2), (4), (6), and (7) shall~~  
434 ~~each be increased by an amount equal to 10 percent of the~~  
435 ~~increase in the remaining taxes collected under this chapter~~  
436 ~~multiplied by the applicable percentage provided in those~~  
437 ~~subsections.~~

438 ~~(14) If the payment requirements in any year for bonds~~  
439 ~~outstanding on July 1, 2007, or bonds issued to refund such~~  
440 ~~bonds, exceed the limitations of this section, distributions to~~  
441 ~~the trust fund from which the bond payments are made must be~~  
442 ~~increased to the lesser of the amount needed to pay bond~~  
443 ~~obligations or the limit of the applicable percentage~~  
444 ~~distribution provided in subsections (1)-(10).~~

445 (5)(15) Distributions to the State Housing Trust Fund  
446 pursuant to paragraphs (4)(c) and (d) subsections (9) and (10)





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447 must be sufficient to cover amounts required to be transferred  
448 to the Florida Affordable Housing Guarantee Program's annual  
449 debt service reserve and guarantee fund pursuant to s.  
450 420.5092(6) (a) and (b) up to the amount required to be  
451 transferred to such reserve and fund based on the percentage  
452 distribution of documentary stamp tax revenues to the State  
453 Housing Trust Fund which is in effect in the 2004-2005 fiscal  
454 year.

455 ~~(16) If amounts necessary to pay debt service or any other~~  
456 ~~amounts payable with respect to Preservation 2000 bonds, Florida~~  
457 ~~Forever bonds, or Everglades Restoration bonds authorized before~~  
458 ~~January 1, 2015, exceed the amounts distributable pursuant to~~  
459 ~~subsection (1), all moneys distributable pursuant to this~~  
460 ~~section are available for such obligations and transferred in~~  
461 ~~the amounts necessary to pay such obligations when due. However,~~  
462 ~~amounts distributable pursuant to subsection (2), subsection~~  
463 ~~(3), subsection (4), subsection (5), paragraph (9) (a), or~~  
464 ~~paragraph (10) (a) are not available to pay such obligations to~~  
465 ~~the extent that such moneys are necessary to pay debt service on~~  
466 ~~bonds secured by revenues pursuant to those provisions.~~

467 (6) ~~(17)~~ After the distributions provided in the preceding  
468 subsections, any remaining taxes shall be paid into the State  
469 Treasury to the credit of the General Revenue Fund.

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

472 211.3103 Levy of tax on severance of phosphate rock; rate,  
473 basis, and distribution of tax.—

474 (6) (a) Beginning January 1, 2023 ~~July 1 of the 2011-2012~~  
475 ~~fiscal year~~, the proceeds of all taxes, interest, and penalties



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476 imposed under this section are exempt from the general revenue  
477 service charge provided in s. 215.20, and such proceeds shall be  
478 paid into the State Treasury as follows:

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

481 2. To the credit of the General Revenue Fund of the state,  
482 35.7 percent.

483 3. For payment to counties in proportion to the number of  
484 tons of phosphate rock produced from a phosphate rock matrix  
485 located within such political boundary, 12.8 percent. The  
486 department shall distribute this portion of the proceeds  
487 annually based on production information reported by the  
488 producers on the annual returns for the taxable year. Any such  
489 proceeds received by a county shall be used only for phosphate-  
490 related expenses.

491 4. For payment to counties that have been designated as a  
492 rural area of opportunity pursuant to s. 288.0656 in proportion  
493 to the number of tons of phosphate rock produced from a  
494 phosphate rock matrix located within such political boundary,  
495 10.0 percent. The department shall distribute this portion of  
496 the proceeds annually based on production information reported  
497 by the producers on the annual returns for the taxable year.  
498 Payments under this subparagraph shall be made to the counties  
499 unless the Legislature by special act creates a local authority  
500 to promote and direct the economic development of the county. If  
501 such authority exists, payments shall be made to that authority.

502 5. To the credit of the Nonmandatory Land Reclamation Trust  
503 Fund, 6.2 percent.

504 6. To the credit of the Phosphate Research Trust Fund in



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505 the Division of Universities of the Department of Education, 6.2  
506 percent.

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

508 (b) Notwithstanding paragraph (a), from July ~~January~~ 1,  
509 2015, until December 31, 2022, the proceeds of all taxes,  
510 interest, and penalties imposed under this section are exempt  
511 from the general revenue service charge provided in s. 215.20,  
512 and such proceeds shall be paid to the State Treasury as  
513 follows:

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

516 2. To the credit of the General Revenue Fund of the state,  
517 31.9 percent.

518 3. For payment to counties pursuant to subparagraph (a)3.,  
519 11.5 percent.

520 4. For payment to counties pursuant to subparagraph (a)4.,  
521 8.9 percent.

522 5. To the credit of the Nonmandatory Land Reclamation Trust  
523 Fund, 16.1 percent.

524 6. To the credit of the Phosphate Research Trust Fund in  
525 the Division of Universities of the Department of Education, 5.6  
526 percent.

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

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

530 215.20 Certain income and certain trust funds to contribute  
531 to the General Revenue Fund.—

532 (2) Notwithstanding the provisions of subsection (1), the  
533 trust funds of the Department of Citrus and the Department of



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534 Agriculture and Consumer Services, including funds collected in  
535 the General Inspection Trust Fund for marketing orders and in  
536 the Florida Citrus Advertising Trust Fund, shall be subject to a  
537 4 percent service charge, which is hereby appropriated to the  
538 General Revenue Fund. This subsection ~~paragraph~~ does not apply  
539 to ~~the Conservation and Recreation Lands Program Trust Fund~~, the  
540 Citrus Inspection Trust Fund, the Florida Forever Program Trust  
541 Fund, the Market Improvements Working Capital Trust Fund, the  
542 Pest Control Trust Fund, the Plant Industry Trust Fund, or other  
543 funds collected in the General Inspection Trust Fund in the  
544 Department of Agriculture and Consumer Services.

545 Section 12. Paragraph (a) of subsection (1) and subsections  
546 (2), (3), and (6) of section 215.618, Florida Statutes, are  
547 amended to read:

548 215.618 Bonds for acquisition and improvement of land,  
549 water areas, and related property interests and resources.—

550 (1) (a) The issuance of Florida Forever bonds, not to exceed  
551 \$5.3 billion, to finance or refinance the cost of acquisition  
552 and improvement of land, water areas, and related property  
553 interests and resources, in urban and rural settings, for the  
554 purposes of restoration, conservation, recreation, water  
555 resource development, or historical preservation, and for  
556 capital improvements to lands and water areas that accomplish  
557 environmental restoration, enhance public access and  
558 recreational enjoyment, promote long-term management goals, and  
559 facilitate water resource development is hereby authorized,  
560 subject to ~~the provisions of~~ s. 259.105 and pursuant to s.  
561 11(e), Art. VII of the State Constitution and, on or after July  
562 1, 2015, to also finance or refinance the acquisition and



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563 improvement of land, water areas, and related property interests  
564 as provided in s. 28, Art. X of the State Constitution. Florida  
565 ~~Forever bonds may also be issued to refund Preservation 2000~~  
566 ~~bonds issued pursuant to s. 375.051.~~ The \$5.3 billion limitation  
567 on the issuance of Florida Forever bonds does not apply to  
568 refunding bonds. The duration of each series of Florida Forever  
569 bonds issued may not exceed 20 annual maturities. Not more than  
570 58.25 percent of documentary stamp taxes collected may be taken  
571 into account for the purpose of satisfying an additional bonds  
572 test set forth in any authorizing resolution for bonds issued on  
573 or after July 1, 2015 ~~Preservation 2000 bonds and Florida~~  
574 ~~Forever bonds shall be equally and ratably secured by moneys~~  
575 ~~distributable to the Land Acquisition Trust Fund pursuant to s.~~  
576 ~~201.15(1)(a), except to the extent specifically provided~~  
577 ~~otherwise by the documents authorizing the issuance of the~~  
578 ~~bonds.~~

579 (2) The state covenants ~~does hereby covenant~~ with the  
580 holders of Florida Forever bonds ~~and Preservation 2000 bonds~~  
581 that it will not take any action which will materially and  
582 adversely affect the rights of such holders so long as such  
583 bonds are outstanding, including, but not limited to, a  
584 reduction in the portion of documentary stamp taxes  
585 distributable to the Land Acquisition Trust Fund for payment of  
586 debt service on ~~Preservation 2000 bonds or~~ Florida Forever  
587 bonds.

588 (3) Bonds issued pursuant to this section are ~~shall be~~  
589 payable from taxes distributable to the Land Acquisition Trust  
590 Fund pursuant to s. 201.15 ~~s. 201.15(1)(a)~~. Bonds issued  
591 pursuant to this section do ~~shall~~ not constitute a general



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592 obligation of, or a pledge of the full faith and credit of, the  
593 state.

594 ~~(6) Pursuant to authority granted by s. 11(e), Art. VII of~~  
595 ~~the State Constitution, there is hereby continued and re-created~~  
596 ~~the Land Acquisition Trust Fund which shall be a continuation of~~  
597 ~~the Land Acquisition Trust Fund which exists for purposes of s.~~  
598 ~~9(a)(1), Art. XII of the State Constitution. The Land~~  
599 ~~Acquisition Trust Fund shall continue beyond the termination of~~  
600 ~~bonding authority provided for in s. 9(a)(1), Art. XII of the~~  
601 ~~State Constitution, pursuant to the authority provided by s.~~  
602 ~~11(e), Art. VII of the State Constitution and shall continue for~~  
603 ~~so long as Preservation 2000 bonds or Florida Forever bonds are~~  
604 ~~outstanding and secured by taxes distributable thereto.~~

605 Section 13. Paragraph (b) of subsection (1) and subsections  
606 (2) and (3) of section 215.619, Florida Statutes, are amended to  
607 read:

608 215.619 Bonds for Everglades restoration.—

609 (1) The issuance of Everglades restoration bonds to finance  
610 or refinance the cost of the acquisition and improvement of  
611 land, water areas, and related property interests and resources  
612 for the purpose of implementing the Comprehensive Everglades  
613 Restoration Plan under s. 373.470, the Lake Okeechobee Watershed  
614 Protection Plan under s. 373.4595, the Caloosahatchee River  
615 Watershed Protection Plan under s. 373.4595, the St. Lucie River  
616 Watershed Protection Plan under s. 373.4595, and the Florida  
617 Keys Area of Critical State Concern protection program under ss.  
618 380.05 and 380.0552 in order to restore and conserve natural  
619 systems through the implementation of water management projects,  
620 including wastewater management projects identified in the Keys



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621 Wastewater Plan, dated November 2007, and submitted to the  
622 Florida House of Representatives on December 4, 2007, is  
623 authorized in accordance with s. 11(e), Art. VII of the State  
624 Constitution.

625 (b) The duration of Everglades restoration bonds may not  
626 exceed 20 annual maturities and must mature by December 31,  
627 2040. Except for refunding bonds, a series of bonds may not be  
628 issued unless an amount equal to the debt service coming due in  
629 the year of issuance has been appropriated by the Legislature.  
630 Not more than 58.25 percent of documentary stamp taxes collected  
631 may be taken into account for the purpose of satisfying an  
632 additional bonds test set forth in any authorizing resolution  
633 for bonds issued on or after July 1, 2015. Beginning July 1,  
634 2010, the Legislature shall analyze the ratio of the state's  
635 debt to projected revenues before authorizing the issuance of  
636 bonds under this section.

637 (2) The state covenants with the holders of Everglades  
638 restoration bonds that it will not take any action that will  
639 materially and adversely affect the rights of the holders so  
640 long as the bonds are outstanding, including, but not limited  
641 to, a reduction in the portion of documentary stamp taxes  
642 distributable under s. 205.15 ~~s. 201.15(1)~~ for payment of debt  
643 service on ~~Preservation 2000 bonds~~, Florida Forever bonds, or  
644 Everglades restoration bonds.

645 (3) Everglades restoration bonds are payable from, and  
646 secured by a first lien on, taxes distributable under s. 201.15  
647 ~~s. 201.15(1)(b)~~ and do not constitute a general obligation of,  
648 or a pledge of the full faith and credit of, the state.  
649 Everglades restoration bonds shall be secured on a parity basis



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650 with Florida Forever bonds issued pursuant to s. 215.618 ~~secured~~  
651 ~~by moneys distributable under s. 201.15(1)(a).~~

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

654 253.027 Emergency archaeological property acquisition.—

655 (5) ACCOUNT EXPENDITURES.—

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

659 1. The property is an archaeological property of major  
660 statewide significance.

661 2. The structures, artifacts, or relics, or their historic  
662 significance, will be irretrievably lost if the state cannot  
663 acquire the property.

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

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

670 5. The site is not otherwise protected by local, state, or  
671 federal laws.

672 6. The acquisition is not inconsistent with the state  
673 comprehensive plan and the state land acquisition program.

674 (b) No moneys shall be spent from the account for  
675 excavation or restoration of the properties acquired. Funds may  
676 be spent for preliminary surveys to determine if the sites meet  
677 the criteria of this section. An amount not to exceed \$100,000  
678 may also be spent from the account to inventory and evaluate





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679 archaeological and historic resources on properties purchased,  
680 or proposed for purchase, pursuant to s. 259.105(3)(b) ~~s.~~  
681 ~~259.032~~.

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

684 253.03 Board of trustees to administer state lands; lands  
685 enumerated.-

686 (12) The Board of Trustees of the Internal Improvement  
687 Trust Fund is hereby authorized to administer, manage, control,  
688 conserve, protect, and sell all real property forfeited to the  
689 state pursuant to ss. 895.01-895.09 or acquired by the state  
690 pursuant to s. 607.0505 or former s. 620.192. The board is  
691 directed to immediately determine the value of all such property  
692 and shall ascertain whether the property is in any way  
693 encumbered. If the board determines that it is in the best  
694 interest of the state to do so, funds from the Internal  
695 Improvement Trust Fund may be used to satisfy any such  
696 encumbrances. If forfeited property receipts are not sufficient  
697 to satisfy encumbrances on the property and expenses permitted  
698 under this section, funds from another appropriate ~~the Land~~  
699 ~~Acquisition~~ trust fund may be used to satisfy any such  
700 encumbrances and expenses. All property acquired by the board  
701 pursuant to s. 607.0505, former s. 620.192, or ss. 895.01-895.09  
702 shall be sold as soon as commercially feasible unless the  
703 Attorney General recommends and the board determines that  
704 retention of the property in public ownership would effectuate  
705 one or more of the following policies of statewide significance:  
706 protection or enhancement of floodplains, marshes, estuaries,  
707 lakes, rivers, wilderness areas, wildlife areas, wildlife



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708 habitat, or other environmentally sensitive natural areas or  
709 ecosystems; or preservation of significant archaeological or  
710 historical sites identified by the Secretary of State. In such  
711 event the property shall remain in the ownership of the board,  
712 to be controlled, managed, and disposed of in accordance with  
713 this chapter, and the Internal Improvement Trust Fund shall be  
714 reimbursed from the Land Acquisition Trust Fund, or other  
715 appropriate fund designated by the board, for any funds expended  
716 from the Internal Improvement Trust Fund pursuant to this  
717 subsection in regard to such property. Upon the recommendation  
718 of the Attorney General, the board may reimburse the  
719 investigative agency for its investigative expenses, costs, and  
720 attorneys' fees, and may reimburse law enforcement agencies for  
721 actual expenses incurred in conducting investigations leading to  
722 the forfeiture of such property from funds deposited in the  
723 Internal Improvement Trust Fund of the Department of  
724 Environmental Protection. The proceeds of the sale of property  
725 acquired under s. 607.0505, former s. 620.192, or ss. 895.01-  
726 895.09 shall be distributed as follows:

727 (a) After satisfaction of any valid claims arising under  
728 ~~the provisions of~~ s. 895.09(1)(a) or (b), any moneys used to  
729 satisfy encumbrances and expended as costs of administration,  
730 appraisal, management, conservation, protection, sale, and real  
731 estate sales services and any interest earnings lost to the ~~Land~~  
732 ~~Acquisition~~ trust fund that was used as of a date certified by  
733 the Department of Environmental Protection shall be replaced  
734 first in the ~~Land Acquisition~~ trust fund that was used to  
735 satisfy any such encumbrance or expense, if those funds were  
736 used, and then in the Internal Improvement Trust Fund; and



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737 (b) The remainder shall be distributed as set forth in s.  
738 895.09.

739 Section 16. Subsection (3), paragraphs (a) and (k) through  
740 (n) of subsection (6), and subsections (10) and (11) of section  
741 253.034, Florida Statutes, are amended to read:

742 253.034 State-owned lands; uses.-

743 (3) Recognizing ~~In recognition~~ that recreational trails  
744 purchased with rails-to-trails funds pursuant to former s.  
745 259.101(3)(g), Florida Statutes 2014, or s. 259.105(3)(h) have  
746 had historic transportation uses and that their linear character  
747 may extend many miles, the Legislature intends that if ~~when~~ the  
748 necessity arises to serve public needs, after balancing the need  
749 to protect trail users from collisions with automobiles and a  
750 preference for the use of overpasses and underpasses to the  
751 greatest extent feasible and practical, transportation uses  
752 shall be allowed to cross recreational trails purchased pursuant  
753 to former s. 259.101(3)(g), Florida Statutes 2014, or s.  
754 259.105(3)(h). When these crossings are needed, the location and  
755 design should consider and mitigate the impact on humans and  
756 environmental resources, and the value of the land shall be paid  
757 based on fair market value.

758 (6) The Board of Trustees of the Internal Improvement Trust  
759 Fund shall determine which lands, the title to which is vested  
760 in the board, may be surplus. For conservation lands, the  
761 board shall determine whether the lands are no longer needed for  
762 conservation purposes and may dispose of them by an affirmative  
763 vote of at least three members. In the case of a land exchange  
764 involving the disposition of conservation lands, the board must  
765 determine by an affirmative vote of at least three members that



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766 the exchange will result in a net positive conservation benefit.  
767 For all other lands, the board shall determine whether the lands  
768 are no longer needed and may dispose of them by an affirmative  
769 vote of at least three members.

770 (a) For the purposes of this subsection, all lands acquired  
771 by the state before July 1, 1999, using proceeds from  
772 Preservation 2000 bonds, the former Conservation and Recreation  
773 Lands Trust Fund, the former Water Management Lands Trust Fund,  
774 Environmentally Endangered Lands Program, and the Save Our Coast  
775 Program and titled to the board which are identified as core  
776 parcels or within original project boundaries are deemed to have  
777 been acquired for conservation purposes.

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

782 (l) Proceeds from the sale of surplus conservation lands  
783 purchased on or after July 1, 2015, shall be deposited into the  
784 Land Acquisition Trust Fund, except when such lands were  
785 purchased with funds other than those from the Land Acquisition  
786 Trust Fund or a land acquisition trust fund created to implement  
787 s. 28, Art. X of the State Constitution, the proceeds shall be  
788 deposited into the fund from which the lands were purchased  
789 ~~However, if the fund from which the lands were originally~~  
790 ~~acquired no longer exists, such proceeds shall be deposited into~~  
791 ~~an appropriate account to be used for land management by the~~  
792 ~~lead managing agency assigned the lands before the lands were~~  
793 ~~declared surplus.~~

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



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795 lands~~7~~ or lands that were acquired by gift, by donation, or for  
796 no consideration~~7~~ shall be deposited into the Internal  
797 Improvement Trust Fund.

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

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

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

810 (10) The following additional uses of conservation lands  
811 acquired pursuant to the Florida Forever program and other  
812 state-funded conservation land purchase programs shall be  
813 authorized, upon a finding by the board of trustees, if they  
814 meet the criteria specified in paragraphs (a)-(e): water  
815 resource development projects, water supply development  
816 projects, stormwater management projects, linear facilities, and  
817 sustainable agriculture and forestry. Such additional uses are  
818 authorized where:

819 (a) Not inconsistent with the management plan for such  
820 lands;

821 (b) Compatible with the natural ecosystem and resource  
822 values of such lands;

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



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824 and where due consideration is given to the use of other  
825 available lands;

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

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

829

830 A decision by the board of trustees pursuant to this section  
831 shall be given a presumption of correctness. Moneys received  
832 from the use of state lands pursuant to this section shall be  
833 returned to the lead managing entity in accordance with s.  
834 259.032(9)(c) ~~the provisions of s. 259.032(11)(e).~~

835 (11) Lands listed as projects for acquisition may be  
836 managed for conservation pursuant to s. 259.032, on an interim  
837 basis by a private party in anticipation of a state purchase in  
838 accordance with a contractual arrangement between the acquiring  
839 agency and the private party that may include management service  
840 contracts, leases, cost-share arrangements or resource  
841 conservation agreements. Lands designated as eligible under this  
842 subsection shall be managed to maintain or enhance the resources  
843 the state is seeking to protect by acquiring the land. Funding  
844 for these contractual arrangements may originate from the  
845 documentary stamp tax revenue deposited into the Land  
846 Acquisition Conservation and Recreation Lands Trust Fund ~~and~~  
847 ~~Water Management Lands Trust Fund~~. No more than \$6.2 million may  
848 be expended from the Land Acquisition Trust Fund ~~5 percent of~~  
849 ~~funds allocated under the trust funds shall be expended~~ for this  
850 purpose.

851 Section 17. Section 253.7824, Florida Statutes, is amended  
852 to read:



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853           253.7824 Sale of products; proceeds.—The department may  
854 authorize the removal and sale of products from the land where  
855 environmentally appropriate, the proceeds from which shall be  
856 deposited into the appropriate in the Land Acquisition trust  
857 fund in accordance with the same disposition provided under s.  
858 253.034(6)(k), (l), or (m) applicable to the sale of land.

859           Section 18. Paragraph (b) of subsection (3) of section  
860 258.015, Florida Statutes, is amended to read:

861           258.015 Citizen support organizations; use of property;  
862 audit.—

863           (3) PARTNERSHIPS IN PARKS.—

864           (b) The Legislature may annually appropriate funds from the  
865 Land Acquisition Trust Fund for use only as state matching  
866 funds, in conjunction with private donations in aggregates of at  
867 least \$60,000 matched by \$40,000 of state funds for a total  
868 minimum project amount of \$100,000 for capital improvement  
869 facility development at state parks, at either individually  
870 designated parks or for priority projects within the overall  
871 state park system. Not more than 30 percent of the Land  
872 Acquisition Trust Fund unencumbered fund balance or \$3 million,  
873 whichever is less, shall be reserved, available annually for  
874 matching private donations. The amount held in reserve for the  
875 state match will be no greater than \$6 million for any fiscal  
876 year. State funds from the Land Acquisition Trust Fund or other  
877 appropriate funding sources shall be used for matching private  
878 donations for 40 percent of the projects' costs. Funds held in  
879 reserve for the purposes of this subsection shall be available  
880 only after the requirements of s. 375.041(4) ~~s. 375.041(3)~~ are  
881 met. Citizen support organizations organized and operating for



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882 the benefit of state parks may acquire private donations  
883 pursuant to this section, and matching state funds for approved  
884 projects may be provided in accordance with this subsection. The  
885 department is authorized to properly recognize and honor a  
886 private donor by placing a plaque or other appropriate  
887 designation noting the contribution on project facilities or by  
888 naming project facilities after the person or organization that  
889 provided matching funds. The department is authorized to adopt  
890 necessary administrative rules to carry out the purposes of this  
891 subsection.

892 Section 19. Subsections (1) and (2) of section 258.435,  
893 Florida Statutes, are amended to read:

894 258.435 Use of aquatic preserves for the accommodation of  
895 visitors.-

896 (1) The Department of Environmental Protection shall  
897 promote the public use of aquatic preserves and their associated  
898 uplands. The department may receive gifts and donations to carry  
899 out the purpose of this part. Moneys received in trust by the  
900 department by gift, devise, appropriation, or otherwise, subject  
901 to the terms of such trust, shall be deposited into the Grants  
902 and Donations Land Acquisition Trust Fund and appropriated to  
903 the department for the administration, development, improvement,  
904 promotion, and maintenance of aquatic preserves and their  
905 associated uplands and for any future acquisition or development  
906 of aquatic preserves and their associated uplands.

907 (2) The department may grant a privilege or concession for  
908 the accommodation of visitors in and use of aquatic preserves  
909 and their associated state-owned uplands if the privilege or  
910 concession does not deny or interfere with the public's access





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911 to such lands and is compatible with the aquatic preserve's  
912 management plan as approved by the Acquisition and Restoration  
913 Council. Moneys received by the department under this subsection  
914 shall be deposited into the Internal Improvement Trust Fund. A  
915 concession must be granted based on business plans,  
916 qualifications, approach, and specified expectations or  
917 criteria. A privilege or concession may not be assigned or  
918 transferred by the grantee without the consent of the  
919 department.

920 Section 20. Section 259.032, Florida Statutes, is amended  
921 to read:

922 259.032 Conservation and recreation lands ~~Trust Fund,~~  
923 ~~purpose.~~-

924 (1) It is the policy of the state that the citizens of this  
925 state shall be assured public ownership of natural areas for  
926 purposes of maintaining this state's unique natural resources;  
927 protecting air, land, and water quality; promoting water  
928 resource development to meet the needs of natural systems and  
929 citizens of this state; promoting restoration activities on  
930 public lands; and providing lands for natural resource based  
931 recreation. In recognition of this policy, it is the intent of  
932 the Legislature to provide such public lands for the people  
933 residing in urban and metropolitan areas of the state, as well  
934 as those residing in less populated, rural areas. It is the  
935 further intent of the Legislature, with regard to the lands  
936 described in paragraph (2) (c) ~~(3) (e)~~, that a high priority be  
937 given to the acquisition, restoration, and management of such  
938 lands in or near counties exhibiting the greatest concentration  
939 of population and, with regard to the lands described in



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940 subsection (2) ~~(3)~~, that a high priority be given to acquiring  
941 lands or rights or interests in lands that advance the goals and  
942 objectives of the Fish and Wildlife Conservation Commission's  
943 approved species or habitat recovery plans, or lands within any  
944 area designated as an area of critical state concern under s.  
945 380.05 which, in the judgment of the advisory council  
946 established pursuant to s. 259.035, or its successor, cannot be  
947 adequately protected by application of land development  
948 regulations adopted pursuant to s. 380.05. Finally, it is the  
949 Legislature's intent that lands acquired for conservation and  
950 recreation purposes ~~through this program and any successor~~  
951 ~~programs~~ be managed in such a way as to protect or restore their  
952 natural resource values, and provide the greatest benefit,  
953 including public access, to the citizens of this state.

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

959 ~~1. The excise taxes on documents as provided in s. 201.15;~~  
960 ~~and~~

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

963  
964 ~~The Department of Revenue shall credit to the fund each month~~  
965 ~~the proceeds from such taxes as provided in this paragraph.~~

966 ~~(b) There shall annually be transferred from the~~  
967 ~~Conservation and Recreation Lands Trust Fund to the Land~~  
968 ~~Acquisition Trust Fund that amount, not to exceed \$20 million~~



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969 ~~annually, as shall be necessary to pay the debt service on, or~~  
970 ~~fund debt service reserve funds, rebate obligations, or other~~  
971 ~~amounts with respect to bonds issued pursuant to s. 375.051 to~~  
972 ~~acquire lands on the established priority list developed~~  
973 ~~pursuant to ss. 259.101(4) and 259.105; however, no moneys~~  
974 ~~transferred to the Land Acquisition Trust Fund pursuant to this~~  
975 ~~paragraph, or earnings thereon, shall be used or made available~~  
976 ~~to pay debt service on the Save Our Coast revenue bonds. Amounts~~  
977 ~~transferred annually from the Conservation and Recreation Lands~~  
978 ~~Trust Fund to the Land Acquisition Trust Fund pursuant to this~~  
979 ~~paragraph shall have the highest priority over other payments or~~  
980 ~~transfers from the Conservation and Recreation Lands Trust Fund,~~  
981 ~~and no other payments or transfers shall be made from the~~  
982 ~~Conservation and Recreation Lands Trust Fund until such~~  
983 ~~transfers to the Land Acquisition Trust Fund have been made.~~  
984 ~~Moneys in the Conservation and Recreation Lands Trust Fund also~~  
985 ~~shall be used to manage lands and to pay for related costs,~~  
986 ~~activities, and functions pursuant to the provisions of this~~  
987 ~~section.~~

988       (2)~~(3)~~ The Governor and Cabinet, sitting as the Board of  
989 Trustees of the Internal Improvement Trust Fund, may expend  
990 allocate moneys appropriated by the Legislature ~~from the fund in~~  
991 ~~any one year~~ to acquire the fee or any lesser interest in lands  
992 for the following public purposes:

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

997       (b) To conserve and protect lands within designated areas



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998 of critical state concern, if the proposed acquisition relates  
999 to the natural resource protection purposes of the designation;  
1000 (c) To conserve and protect native species habitat or  
1001 endangered or threatened species, emphasizing long-term  
1002 protection for endangered or threatened species designated G-1  
1003 or G-2 by the Florida Natural Areas Inventory, and especially  
1004 those areas that are special locations for breeding and  
1005 reproduction;  
1006 (d) To conserve, protect, manage, or restore important  
1007 ecosystems, landscapes, and forests, if the protection and  
1008 conservation of such lands is necessary to enhance or protect  
1009 significant surface water, groundwater, coastal, recreational,  
1010 timber, or fish or wildlife resources which cannot otherwise be  
1011 accomplished through local and state regulatory programs;  
1012 (e) To promote water resource development that benefits  
1013 natural systems and citizens of the state;  
1014 (f) To facilitate the restoration and subsequent health and  
1015 vitality of the Florida Everglades;  
1016 (g) To provide areas, including recreational trails, for  
1017 natural resource based recreation and other outdoor recreation  
1018 on any part of any site compatible with conservation purposes;  
1019 (h) To preserve significant archaeological or historic  
1020 sites;  
1021 (i) To conserve urban open spaces suitable for greenways or  
1022 outdoor recreation which are compatible with conservation  
1023 purposes; or  
1024 (j) To preserve agricultural lands under threat of  
1025 conversion to development through less-than-fee acquisitions.  
1026 (3)-(4) Lands acquired for conservation and recreation



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1027 ~~purposes under this section~~ shall be for use as state-designated  
1028 parks, recreation areas, preserves, reserves, historic or  
1029 archaeological sites, geologic or botanical sites, recreational  
1030 trails, forests, wilderness areas, wildlife management areas,  
1031 urban open space, or other state-designated recreation or  
1032 conservation lands; or they shall qualify for such state  
1033 designation and use if they are to be managed by other  
1034 governmental agencies or nonstate entities as provided for in  
1035 this section.

1036 ~~(4)(5)~~ The board of trustees may expend funds appropriated  
1037 by the Legislature allocate, in any year, ~~an amount not to~~  
1038 ~~exceed 5 percent of the money credited to the fund in that year,~~  
1039 ~~such allocation to be used~~ for the initiation and maintenance of  
1040 a natural areas inventory to aid in the identification of areas  
1041 to be acquired for conservation and recreation purposes pursuant  
1042 ~~to this section.~~

1043 ~~(6)~~ ~~Moneys in the fund not needed to meet obligations~~  
1044 ~~incurred under this section shall be deposited with the Chief~~  
1045 ~~Financial Officer to the credit of the fund and may be invested~~  
1046 ~~in the manner provided by law. Interest received on such~~  
1047 ~~investments shall be credited to the Conservation and Recreation~~  
1048 ~~Lands Trust Fund.~~

1049 ~~(5)(7)~~ The board of trustees may enter into any contract  
1050 necessary to accomplish the purposes of this section. The lead  
1051 land managing agencies designated by the board of trustees also  
1052 are directed by the Legislature to enter into contracts or  
1053 interagency agreements with other governmental entities,  
1054 including local soil and water conservation districts, or  
1055 private land managers who have the expertise to perform specific



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1056 management activities which a lead agency lacks, or which would  
1057 cost more to provide in-house. Such activities shall include,  
1058 but not be limited to, controlled burning, road and ditch  
1059 maintenance, mowing, and wildlife assessments.

1060 (6) ~~(8)~~ Conservation and recreation lands to be considered  
1061 for purchase under this section are subject to the selection  
1062 procedures of s. 259.035 and related rules and shall be acquired  
1063 in accordance with acquisition procedures for state lands  
1064 provided for in s. 259.041, except as otherwise provided by the  
1065 Legislature. An inholding or an addition to conservation and  
1066 recreation lands ~~a project selected for purchase pursuant to~~  
1067 ~~this chapter~~ is not subject to the selection procedures of s.  
1068 259.035 if the estimated value of such inholding or addition  
1069 does not exceed \$500,000. When at least 90 percent of the  
1070 acreage of a project has been purchased for conservation and  
1071 recreation purposes pursuant to this chapter, the project may be  
1072 removed from the list and the remaining acreage may continue to  
1073 be purchased. Funds appropriated to acquire conservation and  
1074 recreation lands ~~Moneys from the fund~~ may be used for title  
1075 work, appraisal fees, environmental audits, and survey costs  
1076 related to acquisition expenses for lands to be acquired,  
1077 donated, or exchanged which qualify under the categories of this  
1078 section, at the discretion of the board. When the Legislature  
1079 has authorized the Department of Environmental Protection to  
1080 condemn a specific parcel of land and such parcel has already  
1081 been approved for acquisition ~~under this section~~, the land may  
1082 be acquired in accordance with the provisions of chapter 73 or  
1083 chapter 74, and the funds appropriated to acquire conservation  
1084 and recreation lands ~~fund~~ may be used to pay the condemnation



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1085 award and all costs, including a reasonable attorney fees  
1086 ~~attorney's fee~~, associated with condemnation.

1087 (7) ~~(9)~~ All lands managed under this chapter and s. 253.034  
1088 shall be:

1089 (a) Managed in a manner that will provide the greatest  
1090 combination of benefits to the public and to the resources.

1091 (b) Managed for public outdoor recreation which is  
1092 compatible with the conservation and protection of public lands.  
1093 Such management may include, but not be limited to, the  
1094 following public recreational uses: fishing, hunting, camping,  
1095 bicycling, hiking, nature study, swimming, boating, canoeing,  
1096 horseback riding, diving, model hobbyist activities, birding,  
1097 sailing, jogging, and other related outdoor activities  
1098 compatible with the purposes for which the lands were acquired.

1099 (c) Managed for the purposes for which the lands were  
1100 acquired, consistent with paragraph (9) (a) ~~(11) (a)~~.

1101 (d) Concurrent with its adoption of the annual ~~Conservation~~  
1102 ~~and Recreation Lands~~ list of acquisition projects pursuant to s.  
1103 259.035, the board of trustees shall adopt a management  
1104 prospectus for each project. The management prospectus shall  
1105 delineate:

1106 1. The management goals for the property;

1107 2. The conditions that will affect the intensity of  
1108 management;

1109 3. An estimate of the revenue-generating potential of the  
1110 property, if appropriate;

1111 4. A timetable for implementing the various stages of  
1112 management and for providing access to the public, if  
1113 applicable;



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1114           5. A description of potential multiple-use activities as  
1115 described in this section and s. 253.034;

1116           6. Provisions for protecting existing infrastructure and  
1117 for ensuring the security of the project upon acquisition;

1118           7. The anticipated costs of management and projected  
1119 sources of revenue, including legislative appropriations, to  
1120 fund management needs; and

1121           8. Recommendations as to how many employees will be needed  
1122 to manage the property, and recommendations as to whether local  
1123 governments, volunteer groups, the former landowner, or other  
1124 interested parties can be involved in the management.

1125           (e) Concurrent with the approval of the acquisition  
1126 contract pursuant to s. 259.041(3)(c) for any interest in lands  
1127 except those lands being acquired under the provisions of s.  
1128 259.1052, the board of trustees shall designate an agency or  
1129 agencies to manage such lands. The board shall evaluate and  
1130 amend, as appropriate, the management policy statement for the  
1131 project as provided by s. 259.035, consistent with the purposes  
1132 for which the lands are acquired. For any fee simple acquisition  
1133 of a parcel which is or will be leased back for agricultural  
1134 purposes, or any acquisition of a less-than-fee interest in land  
1135 that is or will be used for agricultural purposes, the Board of  
1136 Trustees of the Internal Improvement Trust Fund shall first  
1137 consider having a soil and water conservation district, created  
1138 pursuant to chapter 582, manage and monitor such interests.

1139           (f) State agencies designated to manage lands acquired  
1140 under this chapter or with funds deposited into the Land  
1141 Acquisition Trust Fund, except those lands acquired under s.  
1142 259.1052, may contract with local governments and soil and water





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1143 conservation districts to assist in management activities,  
1144 including the responsibility of being the lead land manager.  
1145 Such land management contracts may include a provision for the  
1146 transfer of management funding to the local government or soil  
1147 and water conservation district from the land acquisition  
1148 ~~Conservation and Recreation Lands~~ trust fund of the lead land  
1149 managing agency in an amount adequate for the local government  
1150 or soil and water conservation district to perform its  
1151 contractual land management responsibilities and proportionate  
1152 to its responsibilities, and which otherwise would have been  
1153 expended by the state agency to manage the property.

1154 (g) Immediately following the acquisition of any interest  
1155 in conservation and recreation lands ~~under this chapter~~, the  
1156 Department of Environmental Protection, acting on behalf of the  
1157 board of trustees, may issue to the lead managing entity an  
1158 interim assignment letter to be effective until the execution of  
1159 a formal lease.

1160 ~~(8)-(10)~~(a) State, regional, or local governmental agencies  
1161 or private entities designated to manage lands under this  
1162 section shall develop and adopt, with the approval of the board  
1163 of trustees, an individual management plan for each project  
1164 designed to conserve and protect such lands and their associated  
1165 natural resources. Private sector involvement in management plan  
1166 development may be used to expedite the planning process.

1167 (b) Individual management plans required by s. 253.034(5),  
1168 for parcels over 160 acres, shall be developed with input from  
1169 an advisory group. Members of this advisory group shall include,  
1170 at a minimum, representatives of the lead land managing agency,  
1171 comanaging entities, local private property owners, the



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1172 appropriate soil and water conservation district, a local  
1173 conservation organization, and a local elected official. The  
1174 advisory group shall conduct at least one public hearing within  
1175 the county in which the parcel or project is located. For those  
1176 parcels or projects that are within more than one county, at  
1177 least one areawide public hearing shall be acceptable and the  
1178 lead managing agency shall invite a local elected official from  
1179 each county. The areawide public hearing shall be held in the  
1180 county in which the core parcels are located. Notice of such  
1181 public hearing shall be posted on the parcel or project  
1182 designated for management, advertised in a paper of general  
1183 circulation, and announced at a scheduled meeting of the local  
1184 governing body before the actual public hearing. The management  
1185 prospectus required pursuant to paragraph (7) (d) ~~(9) (d)~~ shall be  
1186 available to the public for a period of 30 days prior to the  
1187 public hearing.

1188 (c) Once a plan is adopted, the managing agency or entity  
1189 shall update the plan at least every 10 years in a form and  
1190 manner prescribed by rule of the board of trustees. Such  
1191 updates, for parcels over 160 acres, shall be developed with  
1192 input from an advisory group. Such plans may include transfers  
1193 of leasehold interests to appropriate conservation organizations  
1194 or governmental entities designated by the Land Acquisition and  
1195 Management Advisory Council or its successor, for uses  
1196 consistent with the purposes of the organizations and the  
1197 protection, preservation, conservation, restoration, and proper  
1198 management of the lands and their resources. Volunteer  
1199 management assistance is encouraged, including, but not limited  
1200 to, assistance by youths participating in programs sponsored by



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1201 state or local agencies, by volunteers sponsored by  
1202 environmental or civic organizations, and by individuals  
1203 participating in programs for committed delinquents and adults.

1204 (d)1. For each project for which lands are acquired after  
1205 July 1, 1995, an individual management plan shall be adopted and  
1206 in place no later than 1 year after the essential parcel or  
1207 parcels identified in the priority list developed pursuant to s.  
1208 259.105 ~~ss. 259.101(4) and 259.105~~ have been acquired. The  
1209 Department of Environmental Protection shall distribute only 75  
1210 percent of the acquisition funds to which a budget entity or  
1211 water management district would otherwise be entitled ~~from the~~  
1212 ~~Preservation 2000 Trust Fund~~ to any budget entity or any water  
1213 management district that has more than one-third of its  
1214 management plans overdue.

1215 2. The requirements of subparagraph 1. do not apply to the  
1216 individual management plan for the Babcock Crescent B Ranch  
1217 being acquired pursuant to s. 259.1052. The management plan for  
1218 the ranch shall be adopted and in place no later than 2 years  
1219 following the date of acquisition by the state.

1220 (e) Individual management plans shall conform to the  
1221 appropriate policies and guidelines of the state land management  
1222 plan and shall include, but not be limited to:

1223 1. A statement of the purpose for which the lands were  
1224 acquired, the projected use or uses as defined in s. 253.034,  
1225 and the statutory authority for such use or uses.

1226 2. Key management activities necessary to achieve the  
1227 desired outcomes, including, but not limited to, providing  
1228 public access, preserving and protecting natural resources,  
1229 protecting cultural and historical resources, restoring habitat,



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1230 protecting threatened and endangered species, controlling the  
1231 spread of nonnative plants and animals, performing prescribed  
1232 fire activities, and other appropriate resource management.

1233 3. A specific description of how the managing agency plans  
1234 to identify, locate, protect, and preserve, or otherwise use  
1235 fragile, nonrenewable natural and cultural resources.

1236 4. A priority schedule for conducting management  
1237 activities, based on the purposes for which the lands were  
1238 acquired.

1239 5. A cost estimate for conducting priority management  
1240 activities, to include recommendations for cost-effective  
1241 methods of accomplishing those activities.

1242 6. A cost estimate for conducting other management  
1243 activities which would enhance the natural resource value or  
1244 public recreation value for which the lands were acquired. The  
1245 cost estimate shall include recommendations for cost-effective  
1246 methods of accomplishing those activities.

1247 7. A determination of the public uses and public access  
1248 that would be consistent with the purposes for which the lands  
1249 were acquired.

1250 (f) The Division of State Lands shall submit a copy of each  
1251 individual management plan for parcels which exceed 160 acres in  
1252 size to each member of the Acquisition and Restoration Council,  
1253 which shall:

1254 1. Within 60 days after receiving a plan from the division,  
1255 review each plan for compliance with the requirements of this  
1256 subsection and with the requirements of the rules established by  
1257 the board pursuant to this subsection.

1258 2. Consider the propriety of the recommendations of the



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1259 managing agency with regard to the future use or protection of  
1260 the property.

1261 3. After its review, submit the plan, along with its  
1262 recommendations and comments, to the board of trustees, with  
1263 recommendations as to whether to approve the plan as submitted,  
1264 approve the plan with modifications, or reject the plan.

1265 (g) The board of trustees shall consider the individual  
1266 management plan submitted by each state agency and the  
1267 recommendations of the Acquisition and Restoration Council and  
1268 the Division of State Lands and shall approve the plan with or  
1269 without modification or reject such plan. The use or possession  
1270 of any lands owned by the board of trustees which is not in  
1271 accordance with an approved individual management plan is  
1272 subject to termination by the board of trustees.

1273  
1274 By July 1 of each year, each governmental agency and each  
1275 private entity designated to manage lands shall report to the  
1276 Secretary of Environmental Protection on the progress of  
1277 funding, staffing, and resource management of every project for  
1278 which the agency or entity is responsible.

1279 (9)~~(11)~~(a) The Legislature recognizes that acquiring lands  
1280 pursuant to this chapter serves the public interest by  
1281 protecting land, air, and water resources which contribute to  
1282 the public health and welfare, providing areas for natural  
1283 resource based recreation, and ensuring the survival of unique  
1284 and irreplaceable plant and animal species. The Legislature  
1285 intends for these lands to be managed and maintained for the  
1286 purposes for which they were acquired and for the public to have  
1287 access to and use of these lands where it is consistent with



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1288 acquisition purposes and would not harm the resources the state  
1289 is seeking to protect on the public's behalf.

1290 (b) An amount of not less than 1.5 percent of the  
1291 cumulative total of funds ever deposited into the Florida  
1292 Preservation 2000 Trust Fund and the Florida Forever Trust Fund  
1293 shall be made available for the purposes of management,  
1294 maintenance, and capital improvements ~~not eligible for funding~~  
1295 ~~pursuant to s. 11(e), Art. VII of the State Constitution, and~~  
1296 ~~for associated contractual services, for conservation and~~  
1297 ~~recreation lands acquired with funds deposited into the Land~~  
1298 ~~Acquisition Trust Fund pursuant to s. 28(a), Art. X of the State~~  
1299 ~~Constitution or pursuant to former s. 259.032, Florida Statutes~~  
1300 ~~2014 this section, former s. 259.101, Florida Statutes 2014, s.~~  
1301 ~~259.105, s. 259.1052, or previous programs for the acquisition~~  
1302 ~~of lands for conservation and recreation, including state~~  
1303 ~~forests, to which title is vested in the board of trustees and~~  
1304 ~~other conservation and recreation lands managed by a state~~  
1305 ~~agency. ~~Of this amount, \$250,000 shall be transferred annually~~~~  
1306 ~~~~to the Plant Industry Trust Fund within the Department of~~~~  
1307 ~~~~Agriculture and Consumer Services for the purpose of~~~~  
1308 ~~~~implementing the Endangered or Threatened Native Flora~~~~  
1309 ~~~~Conservation Grants Program pursuant to s. 581.185(11).~~~~ Each  
1310 agency with management responsibilities shall annually request  
1311 from the Legislature funds sufficient to fulfill such  
1312 responsibilities to implement individual management plans. For  
1313 the purposes of this paragraph, capital improvements shall  
1314 include, but need not be limited to, perimeter fencing, signs,  
1315 firelanes, access roads and trails, and minimal public  
1316 accommodations, such as primitive campsites, garbage



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1317 receptacles, and toilets. Any equipment purchased with funds  
1318 provided pursuant to this paragraph may be used for the purposes  
1319 described in this paragraph on any conservation and recreation  
1320 lands managed by a state agency. The funding requirement created  
1321 in this paragraph is subject to an annual evaluation by the  
1322 Legislature ~~in order~~ to ensure that such requirement does not  
1323 impact the respective trust fund in a manner that would prevent  
1324 the trust fund from meeting other minimum requirements.

1325 (c) All revenues generated through multiple-use management  
1326 or compatible secondary-use management shall be returned to the  
1327 lead agency responsible for such management and shall be used to  
1328 pay for management activities on all conservation, preservation,  
1329 and recreation lands under the agency's jurisdiction. In  
1330 addition, such revenues shall be segregated in an agency trust  
1331 fund used for land management activities, other than a land  
1332 acquisition trust fund, and such revenues shall remain available  
1333 to the agency in subsequent fiscal years to support land  
1334 management appropriations. For the purposes of this paragraph,  
1335 compatible secondary-use management shall be those activities  
1336 described in subsection (7) ~~(9)~~ undertaken on parcels designated  
1337 as single use pursuant to s. 253.034(2)(b).

1338 (d) Up to one-fifth of the funds appropriated for the  
1339 purposes identified ~~provided for~~ in paragraph (b) shall be  
1340 reserved by the board of trustees for interim management of  
1341 acquisitions and for associated contractual services, to ensure  
1342 the conservation and protection of natural resources on project  
1343 sites and to allow limited public recreational use of lands.  
1344 Interim management activities may include, but not be limited  
1345 to, resource assessments, control of invasive, nonnative



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1346 species, habitat restoration, fencing, law enforcement,  
1347 controlled burning, and public access consistent with  
1348 preliminary determinations made pursuant to paragraph (7) (g)  
1349 ~~(9) (g)~~. The board of trustees shall make these interim funds  
1350 available immediately upon purchase.

1351 (e) The department shall set long-range and annual goals  
1352 for the control and removal of nonnative, invasive plant species  
1353 on public lands. Such goals shall differentiate between aquatic  
1354 plant species and upland plant species. In setting such goals,  
1355 the department may rank, in order of adverse impact, species  
1356 that impede or destroy the functioning of natural systems.  
1357 Notwithstanding paragraph (a), up to one-fourth of the funds  
1358 provided for in paragraph (b) may be used by the agencies  
1359 receiving those funds for control and removal of nonnative,  
1360 invasive species on public lands.

1361 ~~(f) For the 2014-2015 fiscal year only, moneys in the~~  
1362 ~~Conservation and Recreation Lands Trust Fund may be transferred~~  
1363 ~~to the Florida Forever Trust Fund for the Florida Forever~~  
1364 ~~program and to the Save Our Everglades Trust Fund to support~~  
1365 ~~Everglades restoration projects included in the final report of~~  
1366 ~~the Select Committee on Indian River Lagoon and Lake Okeechobee~~  
1367 ~~Basin, dated November 8, 2013, pursuant to nonoperating budget~~  
1368 ~~authority under s. 216.181(12). This subsection expires July 1,~~  
1369 ~~2015.~~

1370 (10) (12) (a) Beginning July 1, 1999, the Legislature may  
1371 appropriate ~~shall make available sufficient~~ funds annually ~~from~~  
1372 ~~the Conservation and Recreation Lands trust fund~~ to the  
1373 department for payment in lieu of taxes to qualifying counties  
1374 and local governments as defined in paragraph (b) for all actual





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1375 tax losses incurred as a result of board of trustees  
1376 acquisitions for state agencies under the Florida Forever  
1377 program or the former Florida Preservation 2000 program ~~during~~  
1378 ~~any year. Reserved funds not used for payments in lieu of taxes~~  
1379 ~~in any year shall revert to the fund to be used for land~~  
1380 ~~management in accordance with the provisions of this section.~~

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

1382 1. To all counties that have a population of 150,000 or  
1383 fewer. Population levels shall be determined pursuant to s.  
1384 11.031.

1385 2. To all local governments located in eligible counties.

1386 ~~3. To Glades County, where a privately owned and operated~~  
1387 ~~prison leased to the state has recently been opened and where~~  
1388 ~~privately owned and operated juvenile justice facilities leased~~  
1389 ~~to the state have recently been constructed and opened, a~~  
1390 ~~payment in lieu of taxes, in an amount that offsets the loss of~~  
1391 ~~property tax revenue, which funds have already been appropriated~~  
1392 ~~and allocated from the Department of Correction's budget for the~~  
1393 ~~purpose of reimbursing amounts equal to lost ad valorem taxes.~~

1394 (c) If insufficient funds are available in any year to make  
1395 full payments to all qualifying counties and local governments,  
1396 such counties and local governments shall receive a pro rata  
1397 share of the moneys available.

1398 (d) The payment amount shall be based on the average amount  
1399 of actual taxes paid on the property for the 3 years preceding  
1400 acquisition. Applications for payment in lieu of taxes shall be  
1401 made no later than January 31 of the year following acquisition.  
1402 No payment in lieu of taxes shall be made for properties which  
1403 were exempt from ad valorem taxation for the year immediately



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1404 preceding acquisition.

1405 (e) If property which was subject to ad valorem taxation  
1406 was acquired by a tax-exempt entity for ultimate conveyance to  
1407 the state under this chapter, payment in lieu of taxes shall be  
1408 made for such property based upon the average amount of taxes  
1409 paid on the property for the 3 years before ~~prior to~~ its being  
1410 removed from the tax rolls. The department shall certify to the  
1411 Department of Revenue those properties that may be eligible  
1412 under this provision. Once eligibility has been established,  
1413 that county or local government shall receive annual payments  
1414 for each tax loss until the qualifying county or local  
1415 government exceeds the population threshold pursuant to this  
1416 section.

1417 (f) Payment in lieu of taxes pursuant to this subsection  
1418 shall be made annually to qualifying counties and local  
1419 governments after certification by the Department of Revenue  
1420 that the amounts applied for are reasonably appropriate, based  
1421 on the amount of actual taxes paid on the eligible property.  
1422 With the assistance of the local government requesting payment  
1423 in lieu of taxes, the state agency that acquired the land is  
1424 responsible for preparing and submitting application requests  
1425 for payment to the Department of Revenue for certification.

1426 (g) If the board of trustees conveys to a local government  
1427 title to any land owned by the board, any payments in lieu of  
1428 taxes on the land made to the local government shall be  
1429 discontinued as of the date of the conveyance.

1430  
1431 For the purposes of this subsection, "local government" includes  
1432 municipalities, the county school board, mosquito control



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1433 districts, and any other local government entity which levies ad  
1434 valorem taxes, with the exception of a water management  
1435 district.

1436 ~~(13) Moneys credited to the fund each year which are not~~  
1437 ~~used for management, maintenance, or capital improvements~~  
1438 ~~pursuant to subsection (11); for payment in lieu of taxes~~  
1439 ~~pursuant to subsection (12); or for the purposes of subsection~~  
1440 ~~(5), shall be available for the acquisition of land pursuant to~~  
1441 ~~this section.~~

1442 (11)~~(14)~~ The board of trustees may adopt rules to further  
1443 define the categories of land for acquisition under this  
1444 chapter.

1445 (12)~~(15)~~ Within 90 days after receiving a certified letter  
1446 from the owner of a property on the ~~Conservation and Recreation~~  
1447 ~~Lands list or the~~ priority list established pursuant to s.  
1448 259.105 objecting to the property being included in an  
1449 acquisition project, where such property is a project or part of  
1450 a project which has not been listed for purchase in the current  
1451 year's land acquisition work plan, the board of trustees shall  
1452 delete the property from the list or from the boundary of an  
1453 acquisition project on the list.

1454 Section 21. Subsections (3), (4), and (6) of section  
1455 259.035, Florida Statutes, are amended to read:

1456 259.035 Acquisition and Restoration Council.—

1457 (3) The council shall provide assistance to the board of  
1458 trustees in reviewing the recommendations and plans for state-  
1459 owned lands required under s. 253.034 and this chapter ~~ss.~~  
1460 ~~253.034 and 259.032~~. The council shall, in reviewing such  
1461 recommendations and plans, consider the optimization of



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1462 multiple-use and conservation strategies to accomplish the  
1463 provisions funded pursuant to former s. 259.101(3)(a), Florida  
1464 Statutes 2014, and to s. 259.105(3)(b) ss. 259.101(3)(a) and  
1465 259.105(3)(b).

1466 ~~(4)(a) The council may use existing rules adopted by the~~  
1467 ~~board of trustees, until it develops and recommends amendments~~  
1468 ~~to those rules, to competitively evaluate, select, and rank~~  
1469 ~~projects eligible for the Conservation and Recreation Lands list~~  
1470 ~~pursuant to ss. 259.032(3) and 259.101(4).~~

1471 ~~(a)(b)~~ By December 1, 2016 ~~2009~~, the Acquisition and  
1472 Restoration Council shall develop rules defining specific  
1473 criteria and numeric performance measures needed for lands that  
1474 are to be acquired for public purpose under the Florida Forever  
1475 program pursuant to s. 259.105 or with funds deposited into the  
1476 Land Acquisition Trust Fund pursuant to s. 28(a), Art. X of the  
1477 State Constitution. ~~Each recipient of Florida Forever funds~~  
1478 ~~shall assist the council in the development of such rules.~~ These  
1479 rules shall be reviewed and adopted by the board, then submitted  
1480 to the Legislature for consideration by February 1, 2017 ~~2010~~.  
1481 The Legislature may reject, modify, or take no action relative  
1482 to the proposed rules. If no action is taken, the rules shall be  
1483 implemented. Subsequent to their approval, each recipient of  
1484 ~~Florida Forever~~ funds from the Land Acquisition Trust Fund shall  
1485 annually report to the Division of State Lands on each of the  
1486 numeric performance measures accomplished during the previous  
1487 fiscal year.

1488 ~~(b)(c)~~ In developing or amending rules, the council shall  
1489 give weight to the criteria included in s. 259.105(9) ~~(10)~~. The  
1490 board of trustees shall review the recommendations and shall



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1491 adopt rules necessary to administer this section.

1492 (6) The proposal for a project pursuant to this section or  
1493 s. 259.105(3)(b) may be implemented only if adopted by the  
1494 council and approved by the board of trustees. The council shall  
1495 consider and evaluate in writing the merits and demerits of each  
1496 project that is proposed for acquisition using funds available  
1497 pursuant to s. 28, Art. X of the State Constitution ~~Conservation~~  
1498 ~~and Recreation Lands, Florida Preservation 2000,~~ or Florida  
1499 Forever funding and shall ensure that each proposed project  
1500 meets the requirements of s. 28, Art. X of the State  
1501 Constitution ~~will meet a stated public purpose for the~~  
1502 ~~restoration, conservation, or preservation of environmentally~~  
1503 ~~sensitive lands and water areas or for providing outdoor~~  
1504 ~~recreational opportunities.~~ The council also shall determine  
1505 whether the project conforms, where applicable, with the  
1506 comprehensive plan developed pursuant to s. 259.04(1)(a), the  
1507 comprehensive multipurpose outdoor recreation plan developed  
1508 pursuant to s. 375.021, the state lands management plan adopted  
1509 pursuant to s. 253.03(7), the water resources work plans  
1510 developed pursuant to s. 373.199, and the provisions of s.  
1511 259.032, s. 259.101, or s. 259.105, whichever is applicable.

1512 Section 22. Subsection (4) of section 259.036, Florida  
1513 Statutes, is amended to read:

1514 259.036 Management review teams.-

1515 (4) In the event a land management plan has not been  
1516 adopted within the timeframes specified in s. 259.032(8) ~~s.~~  
1517 ~~259.032(10)~~, the department may direct a management review of  
1518 the property, to be conducted by the land management review  
1519 team. The review shall consider the extent to which the land is



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1520 being managed for the purposes for which it was acquired and the  
1521 degree to which actual management practices are in compliance  
1522 with the management policy statement and management prospectus  
1523 for that property.

1524 Section 23. Paragraph (b) of subsection (3) of section  
1525 259.037, Florida Statutes, is amended to read:

1526 259.037 Land Management Uniform Accounting Council.-

1527 (3)

1528 (b) Each reporting agency shall also:

1529 1. Include a report of the available public use  
1530 opportunities for each management unit of state land, the total  
1531 management cost for public access and public use, and the cost  
1532 associated with each use option.

1533 2. List the acres of land requiring minimal management  
1534 effort, moderate management effort, and significant management  
1535 effort pursuant to s. 259.032(9)(c) ~~former s. 259.032(11)(e)~~.  
1536 For each category created in paragraph (a), the reporting agency  
1537 shall include the amount of funds requested, the amount of funds  
1538 received, and the amount of funds expended for land management.

1539 3. List acres managed and cost of management for each park,  
1540 preserve, forest, reserve, or management area.

1541 4. List acres managed, cost of management, and lead manager  
1542 for each state lands management unit for which secondary  
1543 management activities were provided.

1544 5. Include a report of the estimated calculable financial  
1545 benefits to the public for the ecosystem services provided by  
1546 conservation lands, based on the best readily available  
1547 information or science that provides a standard measurement  
1548 methodology to be consistently applied by the land managing



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1549 agencies. Such information may include, but need not be limited  
1550 to, the value of natural lands for protecting the quality and  
1551 quantity of drinking water through natural water filtration and  
1552 recharge, contributions to protecting and improving air quality,  
1553 benefits to agriculture through increased soil productivity and  
1554 preservation of biodiversity, and savings to property and lives  
1555 through flood control.

1556 Section 24. Subsection (1) of section 259.04, Florida  
1557 Statutes, is amended to read:

1558 259.04 Board; powers and duties.—

1559 (1) For projects and acquisitions selected for purchase  
1560 pursuant to ss. 259.035, ~~259.101~~, and 259.105:

1561 (a) The board is given the responsibility, authority, and  
1562 power to develop and execute a comprehensive, statewide 5-year  
1563 plan to conserve, restore, and protect environmentally  
1564 endangered lands, ecosystems, lands necessary for outdoor  
1565 recreational needs, and other lands as identified in ss.  
1566 259.032, ~~259.101~~, and 259.105. This plan shall be kept current  
1567 through continual reevaluation and revision. The advisory  
1568 council or its successor shall assist the board in the  
1569 development, reevaluation, and revision of the plan.

1570 (b) The board may enter into contracts with the government  
1571 of the United States or any agency or instrumentality thereof;  
1572 the state or any county, municipality, district authority, or  
1573 political subdivision; or any private corporation, partnership,  
1574 association, or person providing for or relating to the  
1575 conservation or protection of certain lands in accomplishing the  
1576 purposes of this chapter.

1577 (c) Within 45 days after the advisory council or its



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1578 successor submits the lists of projects to the board, the board  
1579 shall approve, in whole or in part, the lists of projects in the  
1580 order of priority in which such projects are presented. To the  
1581 greatest extent practicable, projects on the lists shall be  
1582 acquired in their approved order of priority.

1583 (d) The board is authorized to acquire, by purchase, gift,  
1584 or devise or otherwise, the fee title or any lesser interest of  
1585 lands, water areas, and related resources for environmentally  
1586 endangered lands.

1587 Section 25. Paragraphs (a) and (b) of subsection (11) and  
1588 subsection (15) of section 259.041, Florida Statutes, are  
1589 amended to read:

1590 259.041 Acquisition of state-owned lands for preservation,  
1591 conservation, and recreation purposes.—

1592 (11) (a) The Legislature finds that, with the increasing  
1593 pressures on the natural areas of this state and on open space  
1594 suitable for recreational use, the state must develop creative  
1595 techniques to maximize the use of acquisition and management  
1596 funds. The Legislature also finds that the state's conservation  
1597 and recreational land acquisition agencies should be encouraged  
1598 to augment their traditional, fee simple acquisition programs  
1599 with the use of alternatives to fee simple acquisition  
1600 techniques. Additionally, the Legislature finds that generations  
1601 of private landowners have been good stewards of their land,  
1602 protecting or restoring native habitats and ecosystems to the  
1603 benefit of the natural resources of this state, its heritage,  
1604 and its citizens. The Legislature also finds that using  
1605 alternatives to fee simple acquisition by public land  
1606 acquisition agencies will achieve the following public policy





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1607 goals:

1608 1. Allow more lands to be brought under public protection  
1609 for preservation, conservation, and recreational purposes with  
1610 less expenditure of public funds.

1611 2. Retain, on local government tax rolls, some portion of  
1612 or interest in lands which are under public protection.

1613 3. Reduce long-term management costs by allowing private  
1614 property owners to continue acting as stewards of their land,  
1615 where appropriate.

1616

1617 Therefore, it is the intent of the Legislature that public land  
1618 acquisition agencies develop programs to pursue alternatives to  
1619 fee simple acquisition and to educate private landowners about  
1620 such alternatives and the benefits of such alternatives. It is  
1621 also the intent of the Legislature that a portion of the shares  
1622 of ~~Preservation 2000~~ and Florida Forever bond proceeds be used  
1623 to purchase eligible properties using alternatives to fee simple  
1624 acquisition.

1625 (b) All project applications shall identify, within their  
1626 acquisition plans, projects that require a full fee simple  
1627 interest to achieve the public policy goals, together with the  
1628 reasons full title is determined to be necessary. The state  
1629 agencies and the water management districts may use alternatives  
1630 to fee simple acquisition to bring the remaining projects in  
1631 their acquisition plans under public protection. For the  
1632 purposes of this subsection, the term "alternatives to fee  
1633 simple acquisition" includes, but is not limited to: purchase of  
1634 development rights; obtaining conservation easements; obtaining  
1635 flowage easements; purchase of timber rights, mineral rights, or



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1636 hunting rights; purchase of agricultural interests or  
1637 silvicultural interests; ~~entering into land protection~~  
1638 ~~agreements as defined in s. 380.0677(3);~~ fee simple acquisitions  
1639 with reservations; creating life estates; or any other  
1640 acquisition technique that achieves the public policy goals  
1641 listed in paragraph (a). It is presumed that a private landowner  
1642 retains the full range of uses for all the rights or interests  
1643 in the landowner's land which are not specifically acquired by  
1644 the public agency. The lands upon which hunting rights are  
1645 specifically acquired pursuant to this paragraph shall be  
1646 available for hunting in accordance with the management plan or  
1647 hunting regulations adopted by the Florida Fish and Wildlife  
1648 Conservation Commission, unless the hunting rights are purchased  
1649 specifically to protect activities on adjacent lands.

1650 (15) The board of trustees, by an affirmative vote of at  
1651 least three of its members, may direct the department to  
1652 purchase lands on an immediate basis using up to 15 percent of  
1653 the funds allocated to the department pursuant to s. 259.105 ~~ss.~~  
1654 ~~259.101(3)(a) and 259.105~~ for the acquisition of lands that:

1655 (a) Are listed or placed at auction by the Federal  
1656 Government as part of the Resolution Trust Corporation sale of  
1657 lands from failed savings and loan associations;

1658 (b) Are listed or placed at auction by the Federal  
1659 Government as part of the Federal Deposit Insurance Corporation  
1660 sale of lands from failed banks; or

1661 (c) Will be developed or otherwise lost to potential public  
1662 ownership, or for which federal matching funds will be lost, by  
1663 the time the land can be purchased under the program within  
1664 which the land is listed for acquisition.



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1665  
1666 For such acquisitions, the board of trustees may waive or modify  
1667 all procedures required for land acquisition pursuant to this  
1668 chapter and all competitive bid procedures required pursuant to  
1669 chapters 255 and 287. Lands acquired pursuant to this subsection  
1670 must, at the time of purchase, be on one of the acquisition  
1671 lists established pursuant to this chapter, or be essential for  
1672 water resource development, protection, or restoration, or a  
1673 significant portion of the lands must contain natural  
1674 communities or plant or animal species that ~~which~~ are listed by  
1675 the Florida Natural Areas Inventory as critically imperiled,  
1676 imperiled, or rare, or as excellent quality occurrences of  
1677 natural communities.

1678 Section 26. Section 259.101, Florida Statutes, is amended  
1679 to read:

1680 259.101 Florida Preservation 2000 Act.—

1681 (1) SHORT TITLE.—This section may be cited as the “Florida  
1682 Preservation 2000 Act.”

1683 (2) LEGISLATIVE FINDINGS.—The Legislature finds and  
1684 declares that:

1685 (a) The alteration and development of Florida’s natural  
1686 areas to accommodate its rapidly growing population have  
1687 contributed to the degradation of water resources, the  
1688 fragmentation and destruction of wildlife habitats, the loss of  
1689 recreation space, and the diminishment of wetlands and forests.

1690 (b) Imminent development of Florida’s remaining natural  
1691 areas and continuing increases in land values necessitate an  
1692 aggressive program of public land acquisition during the next  
1693 decade to preserve the quality of life that attracts so many



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1694 people to Florida.

1695 (c) Acquisition of public lands, in fee simple or in any  
1696 lesser interest, should be based on a comprehensive assessment  
1697 of Florida's natural resources and planned so as to protect the  
1698 integrity of ecological systems and to provide multiple  
1699 benefits, including preservation of fish and wildlife habitat,  
1700 recreation space, and water recharge areas. Governmental  
1701 agencies responsible for public land acquisition should work  
1702 together to purchase lands jointly and to coordinate individual  
1703 purchases within ecological systems.

1704 (d) One of the purposes of the Florida Communities Trust  
1705 program is to acquire, protect, and preserve open space and  
1706 recreation properties within urban areas where pristine animal  
1707 and plant communities no longer exist. These areas are often  
1708 overlooked in other programs because of their smaller size and  
1709 proximity to developed property. These smaller parcels are,  
1710 however, critically important to the quality of life in these  
1711 urban areas for the residents who live there as well as to the  
1712 many visitors to the state. The trust shall consider projects  
1713 submitted by local governments which further the goals,  
1714 objectives, and policies of the conservation, recreation and  
1715 open space, or coastal elements of their local comprehensive  
1716 plans or which serve to conserve natural resources or resolve  
1717 land use conflicts.

1718 (e) South Florida's water supply and unique natural  
1719 environment depend on the protection of lands buffering the East  
1720 Everglades and the Everglades water conservation areas.

1721  
1722 In addition, the Legislature recognizes the conflicting desires



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1723 of the citizens of this state to prosper through economic  
1724 development and to preserve the natural areas of Florida that  
1725 development threatens to claim. The Legislature further  
1726 recognizes the urgency of acquiring natural areas in the state  
1727 for preservation, yet acknowledges the difficulty of ensuring  
1728 adequate funding for accelerated acquisition in light of other  
1729 equally critical financial needs of the state. ~~It is the~~  
1730 ~~Legislature's desire and intent to fund the implementation of~~  
1731 ~~the Florida Preservation 2000 Act for each of the 10 years of~~  
1732 ~~the program's duration and to do so in a fiscally responsible~~  
1733 ~~manner.~~

1734       (3) TITLE TO CERTAIN PROPERTY ACQUIRED WITH PRESERVATION  
1735 2000 BONDS LAND ACQUISITION PROGRAMS SUPPLEMENTED. ~~Less the~~  
1736 ~~costs of issuance, the costs of funding reserve accounts, and~~  
1737 ~~other costs with respect to the bonds, the proceeds of bonds~~  
1738 ~~issued pursuant to this act shall be deposited into the Florida~~  
1739 ~~Preservation 2000 Trust Fund created by s. 375.045. In fiscal~~  
1740 ~~year 2000-2001, for each Florida Preservation 2000 program~~  
1741 ~~described in paragraphs (a) (g), that portion of each program's~~  
1742 ~~total remaining cash balance which, as of June 30, 2000, is in~~  
1743 ~~excess of that program's total remaining appropriation balances~~  
1744 ~~shall be redistributed by the department and deposited into the~~  
1745 ~~Save Our Everglades Trust Fund for land acquisition. For~~  
1746 ~~purposes of calculating the total remaining cash balances for~~  
1747 ~~this redistribution, the Florida Preservation 2000 Series 2000~~  
1748 ~~bond proceeds, including interest thereon, and the fiscal year~~  
1749 ~~1999-2000 General Appropriations Act amounts shall be deducted~~  
1750 ~~from the remaining cash and appropriation balances,~~  
1751 ~~respectively. The remaining proceeds shall be distributed by the~~



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1752 ~~Department of Environmental Protection in the following manner:~~  
1753       ~~(a) Fifty percent to the Department of Environmental~~  
1754 ~~Protection for the purchase of public lands as described in s.~~  
1755 ~~259.032. Of this 50 percent, at least one-fifth shall be used~~  
1756 ~~for the acquisition of coastal lands.~~  
1757       ~~(b) Thirty percent to the Department of Environmental~~  
1758 ~~Protection for the purchase of water management lands pursuant~~  
1759 ~~to s. 373.59, to be distributed among the water management~~  
1760 ~~districts as provided in that section. Funds received by each~~  
1761 ~~district may also be used for acquisition of lands necessary to~~  
1762 ~~implement surface water improvement and management plans or for~~  
1763 ~~acquisition of lands necessary to implement the Everglades~~  
1764 ~~Construction Project authorized by s. 373.4592.~~  
1765       ~~(c) Ten percent to the Department of Environmental~~  
1766 ~~Protection to provide land acquisition grants and loans to local~~  
1767 ~~governments through the Florida Communities Trust pursuant to~~  
1768 ~~part III of chapter 380. From funds allocated to the trust, \$3~~  
1769 ~~million annually shall be used by the Division of State Lands~~  
1770 ~~within the Department of Environmental Protection to implement~~  
1771 ~~the Green Swamp Land Protection Initiative specifically for the~~  
1772 ~~purchase of conservation easements, as defined in s.~~  
1773 ~~380.0677(3), of lands, or severable interests or rights in~~  
1774 ~~lands, in the Green Swamp Area of Critical State Concern. From~~  
1775 ~~funds allocated to the trust, \$3 million annually shall be used~~  
1776 ~~by the Monroe County Comprehensive Plan Land Authority~~  
1777 ~~specifically for the purchase of a real property interest in~~  
1778 ~~those lands subject to the Rate of Growth Ordinances adopted by~~  
1779 ~~local governments in Monroe County or those lands within the~~  
1780 ~~boundary of an approved Conservation and Recreation Lands~~



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1781 ~~project located within the Florida Keys or Key West Areas of~~  
1782 ~~Critical State Concern; however, title to lands acquired within~~  
1783 ~~the boundary of an approved Conservation and Recreation Lands~~  
1784 ~~project may, in accordance with an approved joint acquisition~~  
1785 ~~agreement, vest in the Board of Trustees of the Internal~~  
1786 ~~Improvement Trust Fund. Of the remaining funds, one-half shall~~  
1787 ~~be matched by local governments on a dollar-for-dollar basis. To~~  
1788 ~~the extent allowed by federal requirements for the use of bond~~  
1789 ~~proceeds, the trust shall expend Preservation 2000 funds to~~  
1790 ~~carry out the purposes of part III of chapter 380.~~

1791 ~~(d) Two and nine-tenths percent to the Department of~~  
1792 ~~Environmental Protection for the purchase of inholdings and~~  
1793 ~~additions to state parks. For the purposes of this paragraph,~~  
1794 ~~"state park" means all real property in the state under the~~  
1795 ~~jurisdiction of the Division of Recreation and Parks of the~~  
1796 ~~department, or which may come under its jurisdiction.~~

1797 ~~(e) Two and nine-tenths percent to the Florida Forest~~  
1798 ~~Service of the Department of Agriculture and Consumer Services~~  
1799 ~~to fund the acquisition of state forest inholdings and additions~~  
1800 ~~pursuant to s. 589.07.~~

1801 ~~(f) Two and nine-tenths percent to the Fish and Wildlife~~  
1802 ~~Conservation Commission to fund the acquisition of inholdings~~  
1803 ~~and additions to lands managed by the commission which are~~  
1804 ~~important to the conservation of fish and wildlife.~~

1805 ~~(g) One and three-tenths percent to the Department of~~  
1806 ~~Environmental Protection for the Florida Greenways and Trails~~  
1807 ~~Program, to acquire greenways and trails or greenways and trails~~  
1808 ~~systems pursuant to chapter 260, including, but not limited to,~~  
1809 ~~abandoned railroad rights-of-way and the Florida National Scenic~~



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1810 ~~Trail.~~  
1811  
1812 ~~Local governments may use federal grants or loans, private~~  
1813 ~~donations, or environmental mitigation funds, including~~  
1814 ~~environmental mitigation funds required pursuant to s. 338.250,~~  
1815 ~~for any part or all of any local match required for the purposes~~  
1816 ~~described in this subsection. Bond proceeds allocated pursuant~~  
1817 ~~to paragraph (c) may be used to purchase lands on the priority~~  
1818 ~~lists developed pursuant to s. 259.035. Title to lands purchased~~  
1819 ~~pursuant to former paragraphs (a), (d), (e), (f), or and (g) of~~  
1820 ~~this subsection, Florida Statutes 2014, shall be vested in the~~  
1821 ~~Board of Trustees of the Internal Improvement Trust Fund. Title~~  
1822 ~~to lands purchased pursuant to former paragraph (c) of this~~  
1823 ~~subsection, Florida Statutes 2014, may be vested in the Board of~~  
1824 ~~Trustees of the Internal Improvement Trust Fund. The board of~~  
1825 ~~trustees shall hold title to land protection agreements and~~  
1826 ~~conservation easements that were or will be acquired pursuant to~~  
1827 ~~former s. 380.0677, Florida Statutes 2014, and the Southwest~~  
1828 ~~Florida Water Management District and the St. Johns River Water~~  
1829 ~~Management District shall monitor such agreements and easements~~  
1830 ~~within their respective districts until the state assumes this~~  
1831 ~~responsibility.~~

1832 ~~(4) PROJECT CRITERIA.—~~

1833 ~~(a) Proceeds of bonds issued pursuant to this act and~~  
1834 ~~distributed pursuant to paragraphs (3) (a) and (b) shall be spent~~  
1835 ~~only on projects which meet at least one of the following~~  
1836 ~~criteria, as determined pursuant to paragraphs (b) and (c):~~

1837 ~~1. A significant portion of the land in the project is in~~  
1838 ~~imminent danger of development, in imminent danger of loss of~~





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1839 ~~its significant natural attributes, or in imminent danger of~~  
1840 ~~subdivision which will result in multiple ownership and may make~~  
1841 ~~acquisition of the project more costly or less likely to be~~  
1842 ~~accomplished;~~

1843 ~~2. Compelling evidence exists that the land is likely to be~~  
1844 ~~developed during the next 12 months, or appraisals made during~~  
1845 ~~the past 5 years indicate an escalation in land value at an~~  
1846 ~~average rate that exceeds the average rate of interest likely to~~  
1847 ~~be paid on the bonds;~~

1848 ~~3. A significant portion of the land in the project serves~~  
1849 ~~to protect or recharge groundwater and to protect other valuable~~  
1850 ~~natural resources or provide space for natural resource based~~  
1851 ~~recreation;~~

1852 ~~4. The project can be purchased at 80 percent of appraised~~  
1853 ~~value or less;~~

1854 ~~5. A significant portion of the land in the project serves~~  
1855 ~~as habitat for endangered, threatened, or rare species or serves~~  
1856 ~~to protect natural communities which are listed by the Florida~~  
1857 ~~Natural Areas Inventory as critically imperiled, imperiled, or~~  
1858 ~~rare, or as excellent quality occurrences of natural~~  
1859 ~~communities; or~~

1860 ~~6. A significant portion of the land serves to preserve~~  
1861 ~~important archaeological or historical sites.~~

1862 ~~(b) Each year that bonds are to be issued pursuant to this~~  
1863 ~~act, the Land Acquisition and Management Advisory Council shall~~  
1864 ~~review that year's approved Conservation and Recreation Lands~~  
1865 ~~priority list and shall, by the first board meeting in February,~~  
1866 ~~present to the Board of Trustees of the Internal Improvement~~  
1867 ~~Trust Fund for approval a listing of projects on the list which~~



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1868 ~~meet one or more of the criteria listed in paragraph (a). The~~  
1869 ~~board may remove projects from the list developed pursuant to~~  
1870 ~~this paragraph, but may not add projects.~~

1871 ~~(c) Each year that bonds are to be issued pursuant to this~~  
1872 ~~act, each water management district governing board shall review~~  
1873 ~~the lands on its current year's Save Our Rivers 5-year plan and~~  
1874 ~~shall, by January 15, adopt a listing of projects from the plan~~  
1875 ~~which meet one or more of the criteria listed in paragraph (a).~~

1876 ~~(d) In the acquisition of coastal lands pursuant to~~  
1877 ~~paragraph (3) (a), the following additional criteria shall also~~  
1878 ~~be considered:~~

1879 ~~1. The value of acquiring coastal high hazard parcels,~~  
1880 ~~consistent with hazard mitigation and postdisaster redevelopment~~  
1881 ~~policies, in order to minimize the risk to life and property and~~  
1882 ~~to reduce the need for future disaster assistance.~~

1883 ~~2. The value of acquiring beachfront parcels, irrespective~~  
1884 ~~of size, to provide public access and recreational opportunities~~  
1885 ~~in highly developed urban areas.~~

1886 ~~3. The value of acquiring identified parcels the~~  
1887 ~~development of which would adversely affect coastal resources.~~

1888  
1889 ~~When a nonprofit environmental organization which is tax exempt~~  
1890 ~~pursuant to s. 501(c)(3) of the United States Internal Revenue~~  
1891 ~~Code sells land to the state, such land at the time of such sale~~  
1892 ~~shall be deemed to meet one or more of the criteria listed in~~  
1893 ~~paragraph (a) if such land meets one or more of the criteria at~~  
1894 ~~the time the organization purchases it. Listings of projects~~  
1895 ~~compiled pursuant to paragraphs (b) and (c) may be revised to~~  
1896 ~~include projects on the Conservation and Recreation Lands~~



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1897 ~~priority list or in a water management district's 5-year plan~~  
1898 ~~which come under the criteria in paragraph (a) after the dates~~  
1899 ~~specified in paragraph (b) or paragraph (c). The requirement of~~  
1900 ~~paragraph (3) (a) regarding coastal lands is met as long as an~~  
1901 ~~average of one-fifth of the cumulative proceeds allocated~~  
1902 ~~through fiscal year 1999-2000 pursuant to that paragraph is used~~  
1903 ~~to purchase coastal lands.~~

1904 ~~(e) The Legislature finds that the Florida Preservation~~  
1905 ~~2000 Program has provided financial resources that have enabled~~  
1906 ~~the acquisition of significant amounts of land for public~~  
1907 ~~ownership in the first 7 years of the program's existence. In~~  
1908 ~~the remaining years of the Florida Preservation 2000 Program,~~  
1909 ~~agencies that receive funds are encouraged to better coordinate~~  
1910 ~~their expenditures so that future acquisitions, when combined~~  
1911 ~~with previous acquisitions, will form more complete patterns of~~  
1912 ~~protection for natural areas and functioning ecosystems to~~  
1913 ~~better accomplish the intent of paragraph (2) (c).~~

1914 ~~(f) The Legislature intends that, in the remaining years of~~  
1915 ~~the Florida Preservation 2000 Program, emphasis be given to the~~  
1916 ~~completion of projects in which one or more parcels have already~~  
1917 ~~been acquired and to the acquisition of lands containing~~  
1918 ~~ecological resources which are either not represented or~~  
1919 ~~underrepresented on lands currently in public ownership. The~~  
1920 ~~Legislature also intends that future acquisitions under the~~  
1921 ~~Florida Preservation 2000 Program be limited to projects on the~~  
1922 ~~current project lists, or any additions to the list as~~  
1923 ~~determined and prioritized by the study, or those projects that~~  
1924 ~~can reasonably be expected to be acquired by the end of the~~  
1925 ~~Florida Preservation 2000 Program.~~



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1926            (4) ~~(5)~~ FLORIDA FOREST SERVICE FUND USE. ~~Any funds received~~  
1927 ~~by the Florida Forest Service from the Preservation 2000 Trust~~  
1928 ~~Fund pursuant to paragraph (3) (c) shall be used only to pay the~~  
1929 ~~cost of the acquisition of lands in furtherance of outdoor~~  
1930 ~~recreation and natural resources conservation in this state. The~~  
1931 ~~administration and use of any funds received by the Florida~~  
1932 ~~Forest Service from the Preservation 2000 Trust Fund will be~~  
1933 ~~subject to such terms and conditions imposed thereon by the~~  
1934 ~~agency of the state responsible for the issuance of the revenue~~  
1935 ~~bonds, the proceeds of which are deposited in the Preservation~~  
1936 ~~2000 Trust Fund, including restrictions imposed to ensure that~~  
1937 ~~the interest on any such revenue bonds issued by the state as~~  
1938 ~~tax exempt revenue bonds will not be included in the gross~~  
1939 ~~income of the holders of such bonds for federal income tax~~  
1940 ~~purposes. All deeds or leases with respect to any real property~~  
1941 ~~acquired with Preservation 2000 funds received by the Florida~~  
1942 ~~Forest Service must ~~from the Preservation 2000 Trust Fund~~ shall~~  
1943 ~~contain sufficient ~~such~~ covenants and restrictions ~~as are~~~~  
1944 ~~sufficient to ensure that the use of such real property ~~at all~~~~  
1945 ~~~~times~~ complies with s. 375.051 and s. 9, Art. XII of the 1968~~  
1946 ~~Constitution of Florida, and ~~shall contain~~ reverter clauses~~  
1947 ~~providing for the reversion of title to such property to the~~  
1948 ~~Board of Trustees of the Internal Improvement Trust Fund or, in~~  
1949 ~~the case of a lease of such property, providing for termination~~  
1950 ~~of the lease upon a failure to use the property conveyed thereby~~  
1951 ~~for such purposes.~~

1952            (5) ~~(6)~~ DISPOSITION OF LANDS.—

1953            (a) Any lands acquired pursuant to former paragraphs  
1954 ~~paragraph (3) (a), paragraph (3) (c), paragraph (3) (d), paragraph~~



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1955 (3) (e), ~~paragraph~~ (3) (f), or ~~paragraph~~ (3) (g) of this section,  
1956 Florida Statutes 2014, if title to such lands is vested in the  
1957 Board of Trustees of the Internal Improvement Trust Fund, may be  
1958 disposed of by the Board of Trustees of the Internal Improvement  
1959 Trust Fund in accordance with the provisions and procedures set  
1960 forth in s. 253.034(6), and lands acquired pursuant to former  
1961 paragraph (3) (b) of this section, Florida Statutes 2014, may be  
1962 disposed of by the owning water management district in  
1963 accordance with the procedures and provisions set forth in ss.  
1964 373.056 and 373.089 provided such disposition also shall satisfy  
1965 the requirements of paragraphs (b) and (c).

1966 (b) Before land acquired with Preservation 2000 funds may  
1967 be surplusd as required by s. 253.034(6) ~~7~~ or determined to be  
1968 no longer required for its purposes under s. 373.056(4), as  
1969 ~~whichever may be~~ applicable, there shall first be a  
1970 determination by the Board of Trustees of the Internal  
1971 Improvement Trust Fund, or, in the case of water management  
1972 district lands, by the owning water management district, that  
1973 such land no longer needs to be preserved in furtherance of the  
1974 intent of the Florida Preservation 2000 Act. Any lands eligible  
1975 to be disposed of under this procedure also may be used to  
1976 acquire other lands through an exchange of lands if, ~~provided~~  
1977 such lands obtained in an exchange are described in the same  
1978 paragraph of former subsection (3) of this section, Florida  
1979 Statutes 2014, as the lands disposed.

1980 (c) ~~Notwithstanding paragraphs (a) and (b), no such~~  
1981 ~~disposition of land shall be made if such disposition would have~~  
1982 ~~the effect of causing all or any portion of the interest on any~~  
1983 ~~revenue bonds issued to fund the Florida Preservation 2000 Act~~



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1984 ~~to lose their exclusion from gross income for purposes of~~  
1985 ~~federal income taxation. Any Revenue derived from the disposal~~  
1986 ~~of such lands acquired with Preservation 2000 funds may not be~~  
1987 ~~used for any purpose except for deposit into the Florida~~  
1988 ~~Preservation 2000 Trust Fund, or the Florida Forever Trust Fund~~  
1989 ~~within the Department of Environmental Protection, for recredit~~  
1990 ~~to the share held under former subsection (3) of this section,~~  
1991 ~~Florida Statutes 2014, in which such disposed land is described.~~

1992 (6) (7) ALTERNATE USES OF ACQUIRED LANDS.-

1993 (a) The Board of Trustees of the Internal Improvement Trust  
1994 Fund, or, in the case of water management district lands, the  
1995 owning water management district, may authorize the granting of  
1996 a lease, easement, or license for the use of any lands acquired  
1997 pursuant to former subsection (3) of this section, Florida  
1998 Statutes 2014, for any governmental use permitted by s. 17, Art.  
1999 IX of the State Constitution of 1885, as adopted by s. 9(a),  
2000 Art. XII of the State Constitution, and any other incidental  
2001 public or private use that is determined by the board or the  
2002 owning water management district to be compatible with the  
2003 purposes for which such lands were acquired.

2004 (b) Any existing lease, easement, or license acquired for  
2005 incidental public or private use on, under, or across any lands  
2006 acquired pursuant to former subsection (3) of this section,  
2007 Florida Statutes 2014, shall be presumed not to be incompatible  
2008 with the purposes for which such lands were acquired.

2009 ~~(c) Notwithstanding the provisions of paragraph (a), no~~  
2010 ~~such lease, easement, or license shall be entered into by the~~  
2011 ~~Department of Environmental Protection or other appropriate~~  
2012 ~~state agency if the granting of such lease, easement, or license~~



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2013 ~~would adversely affect the exclusion of the interest on any~~  
2014 ~~revenue bonds issued to fund the acquisition of the affected~~  
2015 ~~lands from gross income for federal income tax purposes, as~~  
2016 ~~described in s. 375.045(4).~~

2017 (7) ALTERNATIVES TO FEE SIMPLE ACQUISITION. ~~-(8)-~~

2018 (a) The Legislature finds that, with the increasing  
2019 pressures on the natural areas of this state, the state must  
2020 develop creative techniques to maximize the use of acquisition  
2021 and management moneys. The Legislature ~~also~~ finds that the  
2022 state's environmental land-buying agencies should be encouraged  
2023 to augment their traditional, fee simple acquisition programs  
2024 with the use of alternatives to fee simple acquisition  
2025 techniques. The Legislature also finds that using alternatives  
2026 to fee simple acquisition by public land-buying agencies will  
2027 achieve the following public policy goals:

2028 1. Allow more lands to be brought under public protection  
2029 for preservation, conservation, and recreational purposes at  
2030 less expense using public funds.

2031 2. Retain, on local government tax rolls, some portion of  
2032 or interest in lands that ~~which~~ are under public protection.

2033 3. Reduce long-term management costs by allowing private  
2034 property owners to continue acting as stewards of the land, as  
2035 ~~where~~ appropriate.

2036  
2037 Therefore, it is the intent of the Legislature that public land-  
2038 buying agencies develop programs to pursue alternatives to fee  
2039 simple acquisition and to educate private landowners about such  
2040 alternatives and the benefits of such alternatives. It also is  
2041 the intent of the Legislature that the department and the water



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2042 management districts spend a portion of their shares of  
2043 Preservation 2000 bond proceeds to purchase eligible properties  
2044 using alternatives to fee simple acquisition. Finally, it is the  
2045 intent of the Legislature that public agencies acquire lands in  
2046 fee simple for public access and recreational activities. Lands  
2047 protected using alternatives to fee simple acquisition  
2048 techniques may ~~shall~~ not be accessible to the public unless such  
2049 access is negotiated with and agreed to by the private  
2050 landowners who retain interests in such lands.

2051 (b) The Land Acquisition Advisory Council and the water  
2052 management districts shall identify, within their 1997  
2053 acquisition plans, those projects that ~~which~~ require a full fee  
2054 simple interest to achieve the public policy goals, along with  
2055 the reasons why full title is determined to be necessary. The  
2056 council and the water management districts may use alternatives  
2057 to fee simple acquisition to bring the remaining projects in  
2058 their acquisition plans under public protection. For the  
2059 purposes of this subsection, the term "alternatives to fee  
2060 simple acquisition" includes the, ~~but is not limited to:~~  
2061 purchase of development rights; conservation easements; flowage  
2062 easements; the purchase of timber rights, mineral rights, or  
2063 hunting rights; the purchase of agricultural interests or  
2064 silvicultural interests; land protection agreements; fee simple  
2065 acquisitions with reservations; or any other acquisition  
2066 technique that ~~which~~ achieves the public policy goals identified  
2067 ~~listed~~ in paragraph (a). It is presumed that a private landowner  
2068 retains the full range of uses for all the rights or interests  
2069 in the landowner's land which are not specifically acquired by  
2070 the public agency. Life estates and fee simple acquisitions with





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2071 leaseback provisions do ~~shall~~ not qualify as an alternative to  
2072 fee simple acquisition under this subsection, although the  
2073 department and the districts are encouraged to use such  
2074 techniques if ~~where~~ appropriate.

2075 (c) The department and each water management district shall  
2076 implement initiatives to use alternatives to fee simple  
2077 acquisition and to educate private landowners about such  
2078 alternatives. These initiatives must ~~shall~~ include at least two  
2079 acquisitions a year by the department and each water management  
2080 district utilizing alternatives to fee simple.

2081 (d) The Legislature finds that the lack of direct sales  
2082 comparison information has served as an impediment to successful  
2083 implementation of alternatives to fee simple acquisition. It is  
2084 the intent of the Legislature that, in the absence of direct  
2085 comparable sales information, appraisals of alternatives to fee  
2086 simple acquisitions be based on the difference between the full  
2087 fee simple valuation and the value of the interests remaining  
2088 with the seller after acquisition.

2089 (e) The public agency that ~~which~~ has been assigned  
2090 management responsibility shall inspect and monitor any less-  
2091 than-fee-simple interest according to the terms of the purchase  
2092 agreement relating to such interest.

2093 (f) The department and the water management districts may  
2094 enter into joint acquisition agreements to jointly fund the  
2095 purchase of lands using alternatives to fee simple techniques.

2096 (8) PUBLIC RECREATIONAL USE.—An agency or water management  
2097 district that acquired lands using Preservation 2000 funds  
2098 distributed pursuant to former subsection (3) of this section,  
2099 Florida Statutes 2014, shall manage such lands to make them



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2100 available for public recreational use if the recreational use  
2101 does not interfere with the protection of natural resource  
2102 values. The agency or district may enter into an agreement with  
2103 the department or another appropriate state agency to transfer  
2104 management authority or lease to such agencies' lands purchased  
2105 with Preservation 2000 funds for the purpose of managing the  
2106 lands to make them available for public recreational use. The  
2107 water management districts and the department shall take action  
2108 to control the growth of nonnative invasive plant species on  
2109 lands they manage which were purchased with Preservation 2000  
2110 funds.

2111       Section 27. Paragraph (a) of subsection (2), paragraphs  
2112 (c), (1), and (m) of subsection (3), subsection (4), present  
2113 subsection (5), paragraph (a) of present subsection (6), present  
2114 subsection (10), paragraph (i) of present subsection (16), and  
2115 present subsections (17) and (21) of section 259.105, Florida  
2116 Statutes, are amended to read:

2117       259.105 The Florida Forever Act.—

2118       (2) (a) The Legislature finds and declares that:

2119       1. Land acquisition programs have provided tremendous  
2120 financial resources for purchasing environmentally significant  
2121 lands to protect those lands from imminent development or  
2122 alteration, thereby ensuring present and future generations'  
2123 access to important waterways, open spaces, and recreation and  
2124 conservation lands.

2125       2. The continued alteration and development of Florida's  
2126 natural and rural areas to accommodate the state's growing  
2127 population have contributed to the degradation of water  
2128 resources, the fragmentation and destruction of wildlife



2129 habitats, the loss of outdoor recreation space, and the  
2130 diminishment of wetlands, forests, working landscapes, and  
2131 coastal open space.

2132 3. The potential development of Florida's remaining natural  
2133 areas and escalation of land values require government efforts  
2134 to restore, bring under public protection, or acquire lands and  
2135 water areas to preserve the state's essential ecological  
2136 functions and invaluable quality of life.

2137 4. It is essential to protect the state's ecosystems by  
2138 promoting a more efficient use of land, to ensure opportunities  
2139 for viable agricultural activities on working lands, and to  
2140 promote vital rural and urban communities that support and  
2141 produce development patterns consistent with natural resource  
2142 protection.

2143 5. Florida's groundwater, surface waters, and springs are  
2144 under tremendous pressure due to population growth and economic  
2145 expansion and require special protection and restoration  
2146 efforts, including the protection of uplands and springsheds  
2147 that provide vital recharge to aquifer systems and are critical  
2148 to the protection of water quality and water quantity of the  
2149 aquifers and springs. To ensure that sufficient quantities of  
2150 water are available to meet the current and future needs of the  
2151 natural systems and citizens of the state, and assist in  
2152 achieving the planning goals of the department and the water  
2153 management districts, water resource development projects on  
2154 public lands, where compatible with the resource values of and  
2155 management objectives for the lands, are appropriate.

2156 6. The needs of urban, suburban, and small communities in  
2157 Florida for high-quality outdoor recreational opportunities,



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2158 greenways, trails, and open space have not been fully met by  
2159 previous acquisition programs. Through such programs as the  
2160 Florida Communities Trust and the Florida Recreation Development  
2161 Assistance Program, the state shall place additional emphasis on  
2162 acquiring, protecting, preserving, and restoring open space,  
2163 ecological greenways, and recreation properties within urban,  
2164 suburban, and rural areas where pristine natural communities or  
2165 water bodies no longer exist because of the proximity of  
2166 developed property.

2167         7. Many of Florida's unique ecosystems, such as the Florida  
2168 Everglades, are facing ecological collapse due to Florida's  
2169 burgeoning population growth and other economic activities. To  
2170 preserve these valuable ecosystems for future generations,  
2171 essential parcels of land must be acquired to facilitate  
2172 ecosystem restoration.

2173         8. Access to public lands to support a broad range of  
2174 outdoor recreational opportunities and the development of  
2175 necessary infrastructure, where compatible with the resource  
2176 values of and management objectives for such lands, promotes an  
2177 appreciation for Florida's natural assets and improves the  
2178 quality of life.

2179         9. Acquisition of lands, in fee simple, less-than-fee  
2180 interest, or other techniques shall be based on a comprehensive  
2181 science-based assessment of Florida's natural resources which  
2182 targets essential conservation lands by prioritizing all current  
2183 and future acquisitions based on a uniform set of data and  
2184 planned so as to protect the integrity and function of  
2185 ecological systems and working landscapes, and provide multiple  
2186 benefits, including preservation of fish and wildlife habitat,



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2187 recreation space for urban and rural areas, and the restoration  
2188 of natural water storage, flow, and recharge.

2189         10. The state has embraced performance-based program  
2190 budgeting as a tool to evaluate the achievements of publicly  
2191 funded agencies, build in accountability, and reward those  
2192 agencies which are able to consistently achieve quantifiable  
2193 goals. While previous and existing state environmental programs  
2194 have achieved varying degrees of success, few of these programs  
2195 can be evaluated as to the extent of their achievements,  
2196 primarily because performance measures, standards, outcomes, and  
2197 goals were not established at the outset. Therefore, the Florida  
2198 Forever program shall be developed and implemented in the  
2199 context of measurable state goals and objectives.

2200         11. The state must play a major role in the recovery and  
2201 management of its imperiled species through the acquisition,  
2202 restoration, enhancement, and management of ecosystems that can  
2203 support the major life functions of such species. It is the  
2204 intent of the Legislature to support local, state, and federal  
2205 programs that result in net benefit to imperiled species habitat  
2206 by providing public and private land owners meaningful  
2207 incentives for acquiring, restoring, managing, and repopulating  
2208 habitats for imperiled species. It is the further intent of the  
2209 Legislature that public lands, both existing and to be acquired,  
2210 identified by the lead land managing agency, in consultation  
2211 with the Florida Fish and Wildlife Conservation Commission for  
2212 animals or the Department of Agriculture and Consumer Services  
2213 for plants, as habitat or potentially restorable habitat for  
2214 imperiled species, be restored, enhanced, managed, and  
2215 repopulated as habitat for such species to advance the goals and



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2216 objectives of imperiled species management consistent with the  
2217 purposes for which such lands are acquired without restricting  
2218 other uses identified in the management plan. It is also the  
2219 intent of the Legislature that of the proceeds distributed  
2220 pursuant to subsection (3), additional consideration be given to  
2221 acquisitions that achieve a combination of conservation goals,  
2222 including the restoration, enhancement, management, or  
2223 repopulation of habitat for imperiled species. The Acquisition  
2224 and Restoration Council, in addition to the criteria in  
2225 subsection (9), shall give weight to projects that include  
2226 acquisition, restoration, management, or repopulation of habitat  
2227 for imperiled species. The term "imperiled species" as used in  
2228 this chapter and chapter 253, means plants and animals that are  
2229 federally listed under the Endangered Species Act, or state-  
2230 listed by the Fish and Wildlife Conservation Commission or the  
2231 Department of Agriculture and Consumer Services.

2232 a. As part of the state's role, all state lands that have  
2233 imperiled species habitat shall include as a consideration in  
2234 management plan development the restoration, enhancement,  
2235 management, and repopulation of such habitats. In addition, the  
2236 lead land managing agency of such state lands may use fees  
2237 received from public or private entities for projects to offset  
2238 adverse impacts to imperiled species or their habitat in order  
2239 to restore, enhance, manage, repopulate, or acquire land and to  
2240 implement land management plans developed under s. 253.034 or a  
2241 land management prospectus developed and implemented under this  
2242 chapter. Such fees shall be deposited into a foundation or fund  
2243 created by each land management agency under s. 379.223, s.  
2244 589.012, or s. 259.032(9)(c) ~~s. 259.032(11)(c)~~, to be used



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2245 solely to restore, manage, enhance, repopulate, or acquire  
2246 imperiled species habitat.

2247       b. Where habitat or potentially restorable habitat for  
2248 imperiled species is located on state lands, the Fish and  
2249 Wildlife Conservation Commission and the Department of  
2250 Agriculture and Consumer Services shall be included on any  
2251 advisory group required under chapter 253, and the short-term  
2252 and long-term management goals required under chapter 253 must  
2253 advance the goals and objectives of imperiled species management  
2254 consistent with the purposes for which the land was acquired  
2255 without restricting other uses identified in the management  
2256 plan.

2257       12. There is a need to change the focus and direction of  
2258 the state's major land acquisition programs and to extend  
2259 funding and bonding capabilities, so that future generations may  
2260 enjoy the natural resources of this state.

2261       (3) Less the costs of issuing and the costs of funding  
2262 reserve accounts and other costs associated with bonds, the  
2263 proceeds of cash payments or bonds issued pursuant to this  
2264 section shall be deposited into the Florida Forever Trust Fund  
2265 created by s. 259.1051. The proceeds shall be distributed by the  
2266 Department of Environmental Protection in the following manner:

2267       (c) Twenty-one percent to the Department of Environmental  
2268 Protection for use by the Florida Communities Trust for the  
2269 purposes of part III of chapter 380, as described and limited by  
2270 this subsection, and grants to local governments or nonprofit  
2271 environmental organizations that are tax-exempt under s.  
2272 501(c)(3) of the United States Internal Revenue Code for the  
2273 acquisition of community-based projects, urban open spaces,



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2274 parks, and greenways to implement local government comprehensive  
2275 plans. From funds available to the trust and used for land  
2276 acquisition, 75 percent shall be matched by local governments on  
2277 a dollar-for-dollar basis. The Legislature intends that the  
2278 Florida Communities Trust emphasize funding projects in low-  
2279 income or otherwise disadvantaged communities and projects that  
2280 provide areas for direct water access and water-dependent  
2281 facilities that are open to the public and offer public access  
2282 by vessels to waters of the state, including boat ramps and  
2283 associated parking and other support facilities. At least 30  
2284 percent of the total allocation provided to the trust shall be  
2285 used in Standard Metropolitan Statistical Areas, but one-half of  
2286 that amount shall be used in localities in which the project  
2287 site is located in built-up commercial, industrial, or mixed-use  
2288 areas and functions to intersperse open spaces within congested  
2289 urban core areas. From funds allocated to the trust, no less  
2290 than 5 percent shall be used to acquire lands for recreational  
2291 trail systems, provided that in the event these funds are not  
2292 needed for such projects, they will be available for other trust  
2293 projects. Local governments may use federal grants or loans,  
2294 private donations, or environmental mitigation funds, ~~including~~  
2295 ~~environmental mitigation funds required pursuant to s. 338.250,~~  
2296 for any part or all of any local match required for acquisitions  
2297 funded through the Florida Communities Trust. Any lands  
2298 purchased by nonprofit organizations using funds allocated under  
2299 this paragraph must provide for such lands to remain permanently  
2300 in public use through a reversion of title to local or state  
2301 government, conservation easement, or other appropriate  
2302 mechanism. Projects funded with funds allocated to the trust





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2303 shall be selected in a competitive process measured against  
2304 criteria adopted in rule by the trust.

2305 (l) For the purposes of paragraphs (e), (f), (g), and (h),  
2306 the agencies that receive the funds shall develop their  
2307 individual acquisition or restoration lists in accordance with  
2308 specific criteria and numeric performance measures developed  
2309 pursuant to s. 259.035(4). Proposed additions may be acquired if  
2310 they are identified within the original project boundary, the  
2311 management plan required pursuant to s. 253.034(5), or the  
2312 management prospectus required pursuant to s. 259.032(7)(d) ~~or~~  
2313 ~~259.032(9)(d)~~. Proposed additions not meeting the requirements  
2314 of this paragraph shall be submitted to the Acquisition and  
2315 Restoration Council for approval. The council may only approve  
2316 the proposed addition if it meets two or more of the following  
2317 criteria: serves as a link or corridor to other publicly owned  
2318 property; enhances the protection or management of the property;  
2319 would add a desirable resource to the property; would create a  
2320 more manageable boundary configuration; has a high resource  
2321 value that otherwise would be unprotected; or can be acquired at  
2322 less than fair market value.

2323 ~~(m) Notwithstanding paragraphs (a) - (j) and for the 2014-~~  
2324 ~~2015 fiscal year only:~~

2325 ~~1. Five million dollars to the Department of Agriculture~~  
2326 ~~and Consumer Services for the acquisition of agricultural lands~~  
2327 ~~through perpetual conservation easements and other perpetual~~  
2328 ~~less than fee techniques, which will achieve the objectives of~~  
2329 ~~Florida Forever and s. 570.71.~~

2330 ~~2. The remaining moneys appropriated from the Florida~~  
2331 ~~Forever Trust Fund shall be distributed only to the Division of~~



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2332 ~~State Lands within the Department of Environmental Protection~~  
2333 ~~for land acquisitions that are less than fee interest, for~~  
2334 ~~partnerships in which the state's portion of the acquisition~~  
2335 ~~cost is no more than 50 percent, or for conservation lands~~  
2336 ~~needed for military buffering or springs or water resources~~  
2337 ~~protection.~~

2338

2339 ~~This paragraph expires July 1, 2015.~~

2340 ~~(4) Notwithstanding subsection (3) and for the 2014-2015~~  
2341 ~~fiscal year only, the funds appropriated in section 56 of the~~  
2342 ~~2014-2015 General Appropriations Act may be provided to water~~  
2343 ~~management districts for land acquisitions, including less than~~  
2344 ~~fee interest, identified by water management districts as being~~  
2345 ~~needed for water resource protection or ecosystem restoration.~~  
2346 ~~This subsection expires July 1, 2015.~~

2347 ~~(4)(5)~~ It is the intent of the Legislature that projects or  
2348 acquisitions funded pursuant to paragraphs (3)(a) and (b)  
2349 contribute to the achievement of the following goals, which  
2350 shall be evaluated in accordance with specific criteria and  
2351 numeric performance measures developed pursuant to s.

2352 259.035(4):

2353 (a) Enhance the coordination and completion of land  
2354 acquisition projects, as measured by:

2355 1. The number of acres acquired through the state's land  
2356 acquisition programs that contribute to the enhancement of  
2357 essential natural resources, ecosystem service parcels, and  
2358 connecting linkage corridors as identified and developed by the  
2359 best available scientific analysis;

2360 2. The number of acres protected through the use of



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2361 alternatives to fee simple acquisition; or

2362           3. The number of shared acquisition projects among Florida  
2363 Forever funding partners and partners with other funding  
2364 sources, including local governments and the Federal Government.

2365           (b) Increase the protection of Florida's biodiversity at  
2366 the species, natural community, and landscape levels, as  
2367 measured by:

2368           1. The number of acres acquired of significant strategic  
2369 habitat conservation areas;

2370           2. The number of acres acquired of highest priority  
2371 conservation areas for Florida's rarest species;

2372           3. The number of acres acquired of significant landscapes,  
2373 landscape linkages, and conservation corridors, giving priority  
2374 to completing linkages;

2375           4. The number of acres acquired of underrepresented native  
2376 ecosystems;

2377           5. The number of landscape-sized protection areas of at  
2378 least 50,000 acres that exhibit a mosaic of predominantly intact  
2379 or restorable natural communities established through new  
2380 acquisition projects or augmentations to previous projects; or

2381           6. The percentage increase in the number of occurrences of  
2382 imperiled species on publicly managed conservation areas.

2383           (c) Protect, restore, and maintain the quality and natural  
2384 functions of land, water, and wetland systems of the state, as  
2385 measured by:

2386           1. The number of acres of publicly owned land identified as  
2387 needing restoration, enhancement, and management, acres  
2388 undergoing restoration or enhancement, acres with restoration  
2389 activities completed, and acres managed to maintain such



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2390 restored or enhanced conditions; the number of acres which  
2391 represent actual or potential imperiled species habitat; the  
2392 number of acres which are available pursuant to a management  
2393 plan to restore, enhance, repopulate, and manage imperiled  
2394 species habitat; and the number of acres of imperiled species  
2395 habitat managed, restored, enhanced, repopulated, or acquired;  
2396       2. The percentage of water segments that fully meet,  
2397 partially meet, or do not meet their designated uses as reported  
2398 in the Department of Environmental Protection's State Water  
2399 Quality Assessment 305(b) Report;  
2400       3. The percentage completion of targeted capital  
2401 improvements in surface water improvement and management plans  
2402 created under s. 373.453(2), regional or master stormwater  
2403 management system plans, or other adopted restoration plans;  
2404       4. The number of acres acquired that protect natural  
2405 floodplain functions;  
2406       5. The number of acres acquired that protect surface waters  
2407 of the state;  
2408       6. The number of acres identified for acquisition to  
2409 minimize damage from flooding and the percentage of those acres  
2410 acquired;  
2411       7. The number of acres acquired that protect fragile  
2412 coastal resources;  
2413       8. The number of acres of functional wetland systems  
2414 protected;  
2415       9. The percentage of miles of critically eroding beaches  
2416 contiguous with public lands that are restored or protected from  
2417 further erosion;  
2418       10. The percentage of public lakes and rivers in which



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2419 invasive, nonnative aquatic plants are under maintenance  
2420 control; or

2421 11. The number of acres of public conservation lands in  
2422 which upland invasive, exotic plants are under maintenance  
2423 control.

2424 (d) Ensure that sufficient quantities of water are  
2425 available to meet the current and future needs of natural  
2426 systems and the citizens of the state, as measured by:

2427 1. The number of acres acquired which provide retention and  
2428 storage of surface water in naturally occurring storage areas,  
2429 such as lakes and wetlands, consistent with the maintenance of  
2430 water resources or water supplies and consistent with district  
2431 water supply plans;

2432 2. The quantity of water made available through the water  
2433 resource development component of a district water supply plan  
2434 for which a water management district is responsible; or

2435 3. The number of acres acquired of groundwater recharge  
2436 areas critical to springs, sinks, aquifers, other natural  
2437 systems, or water supply.

2438 (e) Increase natural resource-based public recreational and  
2439 educational opportunities, as measured by:

2440 1. The number of acres acquired that are available for  
2441 natural resource-based public recreation or education;

2442 2. The miles of trails that are available for public  
2443 recreation, giving priority to those that provide significant  
2444 connections including those that will assist in completing the  
2445 Florida National Scenic Trail; or

2446 3. The number of new resource-based recreation facilities,  
2447 by type, made available on public land.



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2448           (f) Preserve significant archaeological or historic sites,  
2449 as measured by:  
2450           1. The increase in the number of and percentage of historic  
2451 and archaeological properties listed in the Florida Master Site  
2452 File or National Register of Historic Places which are protected  
2453 or preserved for public use; or  
2454           2. The increase in the number and percentage of historic  
2455 and archaeological properties that are in state ownership.  
2456           (g) Increase the amount of forestland available for  
2457 sustainable management of natural resources, as measured by:  
2458           1. The number of acres acquired that are available for  
2459 sustainable forest management;  
2460           2. The number of acres of state-owned forestland managed  
2461 for economic return in accordance with current best management  
2462 practices;  
2463           3. The number of acres of forestland acquired that will  
2464 serve to maintain natural groundwater recharge functions; or  
2465           4. The percentage and number of acres identified for  
2466 restoration actually restored by reforestation.  
2467           (h) Increase the amount of open space available in urban  
2468 areas, as measured by:  
2469           1. The percentage of local governments that participate in  
2470 land acquisition programs and acquire open space in urban cores;  
2471 or  
2472           2. The percentage and number of acres of purchases of open  
2473 space within urban service areas.  
2474  
2475 Florida Forever projects and acquisitions funded pursuant to  
2476 paragraph (3) (c) shall be measured by goals developed by rule by



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2477 the Florida Communities Trust Governing Board created in s.  
2478 380.504.

2479 (5)~~(6)~~(a) All lands acquired pursuant to this section shall  
2480 be managed for multiple-use purposes, where compatible with the  
2481 resource values of and management objectives for such lands. As  
2482 used in this section, "multiple-use" includes, but is not  
2483 limited to, outdoor recreational activities as described in ss.  
2484 253.034 and 259.032(7)(b) ~~259.032(9)(b)~~, water resource  
2485 development projects, sustainable forestry management, carbon  
2486 sequestration, carbon mitigation, or carbon offsets.

2487 (9)~~(10)~~ The Acquisition and Restoration Council shall  
2488 recommend rules for adoption by the board of trustees to  
2489 competitively evaluate, select, and rank projects eligible for  
2490 Florida Forever funds pursuant to paragraph (3)(b) ~~and for~~  
2491 ~~additions to the Conservation and Recreation Lands list pursuant~~  
2492 ~~to ss. 259.032 and 259.101(4)~~. In developing these proposed  
2493 rules, the Acquisition and Restoration Council shall give weight  
2494 to the following criteria:

2495 (a) The project meets multiple goals described in  
2496 subsection (4).

2497 (b) The project is part of an ongoing governmental effort  
2498 to restore, protect, or develop land areas or water resources.

2499 (c) The project enhances or facilitates management of  
2500 properties already under public ownership.

2501 (d) The project has significant archaeological or historic  
2502 value.

2503 (e) The project has funding sources that are identified and  
2504 assured through at least the first 2 years of the project.

2505 (f) The project contributes to the solution of water



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2506 resource problems on a regional basis.

2507 (g) The project has a significant portion of its land area  
2508 in imminent danger of development, in imminent danger of losing  
2509 its significant natural attributes or recreational open space,  
2510 or in imminent danger of subdivision which would result in  
2511 multiple ownership and make acquisition of the project costly or  
2512 less likely to be accomplished.

2513 (h) The project implements an element from a plan developed  
2514 by an ecosystem management team.

2515 (i) The project is one of the components of the Everglades  
2516 restoration effort.

2517 (j) The project may be purchased at 80 percent of appraised  
2518 value.

2519 (k) The project may be acquired, in whole or in part, using  
2520 alternatives to fee simple, including but not limited to, tax  
2521 incentives, mitigation funds, or other revenues; the purchase of  
2522 development rights, hunting rights, agricultural or  
2523 silvicultural rights, or mineral rights; or obtaining  
2524 conservation easements or flowage easements.

2525 (l) The project is a joint acquisition, either among public  
2526 agencies, nonprofit organizations, or private entities, or by a  
2527 public-private partnership.

2528 (15)~~(16)~~ The Acquisition and Restoration Council shall  
2529 submit to the board of trustees, with its list of projects, a  
2530 report that includes, but shall not be limited to, the following  
2531 information for each project listed:

2532 (i) A management policy statement for the project and a  
2533 management prospectus pursuant to s. 259.032(7)(d) ~~s.~~  
2534 ~~259.032(9)(d)~~.





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2535            ~~(16)-(17)~~ All proposals for projects pursuant to paragraph  
2536 (3) (b) shall be implemented only if adopted by the Acquisition  
2537 and Restoration Council and approved by the board of trustees.  
2538 The council shall consider and evaluate in writing the merits  
2539 and demerits of each project that is proposed for Florida  
2540 Forever funding ~~and each proposed addition to the Conservation~~  
2541 ~~and Recreation Lands list program~~. The council shall ensure that  
2542 each proposed project will meet a stated public purpose for the  
2543 restoration, conservation, or preservation of environmentally  
2544 sensitive lands and water areas or for providing outdoor  
2545 recreational opportunities ~~and that each proposed addition to~~  
2546 ~~the Conservation and Recreation Lands list will meet the public~~  
2547 ~~purposes under s. 259.032(3) and, when applicable, s.~~  
2548 ~~259.101(4)~~. The council also shall determine whether the project  
2549 or addition conforms, where applicable, with the comprehensive  
2550 plan developed pursuant to s. 259.04(1)(a), the comprehensive  
2551 multipurpose outdoor recreation plan developed pursuant to s.  
2552 375.021, the state lands management plan adopted pursuant to s.  
2553 253.03(7), the water resources work plans developed pursuant to  
2554 s. 373.199, and the provisions of this section.

2555            ~~(20)-(21)~~ Lands listed as projects for acquisition under the  
2556 Florida Forever program may be managed for conservation pursuant  
2557 to s. 259.032, on an interim basis by a private party in  
2558 anticipation of a state purchase in accordance with a  
2559 contractual arrangement between the acquiring agency and the  
2560 private party that may include management service contracts,  
2561 leases, cost-share arrangements, or resource conservation  
2562 agreements. Lands designated as eligible under this subsection  
2563 shall be managed to maintain or enhance the resources the state



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2564 is seeking to protect by acquiring the land and to accelerate  
2565 public access to the lands as soon as practicable. Funding for  
2566 these contractual arrangements may originate from the  
2567 documentary stamp tax revenue deposited into the Land  
2568 Acquisition Conservation and Recreation Lands Trust Fund and  
2569 Water Management Lands Trust Fund. No more than \$6.2 million may  
2570 be expended from the Land Acquisition Trust Fund 5 percent of  
2571 funds allocated under the trust funds shall be expended for this  
2572 purpose.

2573 Section 28. Subsections (1) and (3) of section 259.1051,  
2574 Florida Statutes, are amended to read:

2575 259.1051 Florida Forever Trust Fund.—

2576 (1) There is created the Florida Forever Trust Fund to  
2577 carry out the purposes of ss. 259.032, 259.105, 259.1052, and  
2578 375.031. The Florida Forever Trust Fund shall be held and  
2579 administered by the Department of Environmental Protection.  
2580 Proceeds from the sale of bonds, except proceeds of refunding  
2581 bonds, issued under s. 215.618 and payable from moneys  
2582 transferred to the Land Acquisition Trust Fund under s.  
2583 201.15(1) s. 201.15(1)(a), not to exceed \$5.3 billion, must be  
2584 deposited into this trust fund to be distributed and used as  
2585 provided in s. 259.105(3). The bond resolution adopted by the  
2586 governing board of the Division of Bond Finance of the State  
2587 Board of Administration may provide for additional provisions  
2588 that govern the disbursement of the bond proceeds.

2589 (3) The Department of Environmental Protection shall ensure  
2590 that the proceeds from the sale of bonds issued under s. 215.618  
2591 and payable from moneys transferred to the Land Acquisition  
2592 Trust Fund under s. 201.15(1) s. 201.15(1)(a) shall be



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2593 administered and expended in a manner that ensures compliance of  
2594 each issue of bonds that are issued on the basis that interest  
2595 thereon will be excluded from gross income for federal income  
2596 tax purposes, with the applicable provisions of the United  
2597 States Internal Revenue Code and the regulations promulgated  
2598 thereunder, to the extent necessary to preserve the exclusion of  
2599 interest on the bonds from gross income for federal income tax  
2600 purposes. The Department of Environmental Protection shall  
2601 administer the use and disbursement of the proceeds of such  
2602 bonds or require that the use and disbursement thereof be  
2603 administered in a manner to implement strategies to maximize any  
2604 available benefits under the applicable provisions of the United  
2605 States Internal Revenue Code or regulations promulgated  
2606 thereunder, to the extent not inconsistent with the purposes  
2607 identified in s. 259.105(3).

2608 Section 29. Subsection (4) of section 339.0801, Florida  
2609 Statutes, is amended to read:

2610 339.0801 Allocation of increased revenues derived from  
2611 amendments to s. 319.32(5) (a) by ch. 2012-128.—Funds that result  
2612 from increased revenues to the State Transportation Trust Fund  
2613 derived from the amendments to s. 319.32(5) (a) made by this act  
2614 must be used annually, first as set forth in subsection (1) and  
2615 then as set forth in subsections (2)-(5), notwithstanding any  
2616 other provision of law:

2617 (4) Beginning in the 2013-2014 fiscal year and annually  
2618 thereafter, \$10 million shall be allocated to the Small County  
2619 Outreach Program, to be used as specified in s. 339.2818. These  
2620 funds are in addition to the funds provided for the program  
2621 pursuant to s. 201.15(4) (a)2 ~~in s. 201.15(1) (e)1.b.~~



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2622 Section 30. Subsection (9) of section 339.55, Florida  
2623 Statutes, is amended to read:

2624 339.55 State-funded infrastructure bank.—

2625 (9) Funds paid into the State Transportation Trust Fund  
2626 pursuant to s. 201.15(4)(a) ~~s. 201.15(1)(c)~~ for the purposes of  
2627 the State Infrastructure Bank are hereby annually appropriated  
2628 for expenditure to support that program.

2629 Section 31. Subsection (5) of section 341.303, Florida  
2630 Statutes, is amended to read:

2631 341.303 Funding authorization and appropriations;  
2632 eligibility and participation.—

2633 (5) FUND PARTICIPATION; FLORIDA RAIL ENTERPRISE.—

2634 ~~(a)~~ The department, through the Florida Rail Enterprise, is  
2635 authorized to use funds provided pursuant to s. 201.15(4)(a)4.  
2636 ~~under s. 201.15(1)(c)1.d. to fund:~~

2637 (a) Up to 50 percent of the nonfederal share of the costs  
2638 of any eligible passenger rail capital improvement project.

2639 ~~(b) The department, through the Florida Rail Enterprise, is~~  
2640 ~~authorized to use funds provided under s. 201.15(1)(c)1.d. to~~  
2641 ~~fund~~ Up to 100 percent of planning and development costs related  
2642 to the provision of a passenger rail system, including, but not  
2643 limited to, preliminary engineering, revenue studies,  
2644 environmental impact studies, financial advisory services,  
2645 engineering design, and other appropriate professional services.

2646 ~~(c) The department, through the Florida Rail Enterprise, is~~  
2647 ~~authorized to use funds provided under s. 201.15(1)(c)1.d. to~~  
2648 ~~fund~~ The high-speed rail system.

2649 ~~(d) The department, through the Florida Rail Enterprise, is~~  
2650 ~~authorized to use funds provided under s. 201.15(1)(c)1.d. to~~



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2651 ~~fund~~ Projects necessary to identify or address anticipated  
2652 impacts of increased freight rail traffic resulting from the  
2653 implementation of passenger rail systems as provided in s.  
2654 341.302(3)(b).

2655 Section 32. Paragraph (b) of subsection (4) of section  
2656 343.58, Florida Statutes, is amended to read:

2657 343.58 County funding for the South Florida Regional  
2658 Transportation Authority.—

2659 (4) Notwithstanding any other provision of law to the  
2660 contrary and effective July 1, 2010, until as provided in  
2661 paragraph (d), the department shall transfer annually from the  
2662 State Transportation Trust Fund to the South Florida Regional  
2663 Transportation Authority the amounts specified in subparagraph  
2664 (a)1. or subparagraph (a)2.

2665 (b) Funding required by this subsection may not be provided  
2666 from the funds dedicated to the Florida Rail Enterprise pursuant  
2667 to s. 201.15(4)(a)4 ~~under s. 201.15(1)(c)1.d.~~

2668 Section 33. Section 369.252, Florida Statutes, is amended  
2669 to read:

2670 369.252 Invasive plant control on public lands.—The Fish  
2671 and Wildlife Conservation Commission shall establish a program  
2672 to:

2673 (1) Achieve eradication or maintenance control of invasive  
2674 exotic plants on public lands when the scientific data indicate  
2675 that they are detrimental to the state's natural environment or  
2676 when the Commissioner of Agriculture finds that such plants or  
2677 specific populations thereof are a threat to the agricultural  
2678 productivity of the state;

2679 (2) Assist state and local government agencies in the



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2680 development and implementation of coordinated management plans  
2681 for the eradication or maintenance control of invasive exotic  
2682 plant species on public lands;

2683 (3) Contract, or enter into agreements, with entities in  
2684 the State University System or other governmental or private  
2685 sector entities for research concerning control agents;  
2686 production and growth of biological control agents; and  
2687 development of workable methods for the eradication or  
2688 maintenance control of invasive exotic plants on public lands;  
2689 and

2690 (4) Use funds in the Invasive Plant Control Trust Fund as  
2691 authorized by the Legislature for carrying out activities under  
2692 this section on public lands. A minimum of 20 percent of the  
2693 amount appropriated by the Legislature for invasive plant  
2694 control from ~~credited to the Land Acquisition Invasive Plant~~  
2695 Control Trust Fund pursuant to s. 201.15(6) shall be used for  
2696 the purpose of controlling nonnative, upland, invasive plant  
2697 species on public lands.

2698 Section 34. Paragraph (c) of subsection (8) of section  
2699 373.026, Florida Statutes, is amended to read:

2700 373.026 General powers and duties of the department.—The  
2701 department, or its successor agency, shall be responsible for  
2702 the administration of this chapter at the state level. However,  
2703 it is the policy of the state that, to the greatest extent  
2704 possible, the department may enter into interagency or  
2705 interlocal agreements with any other state agency, any water  
2706 management district, or any local government conducting programs  
2707 related to or materially affecting the water resources of the  
2708 state. All such agreements shall be subject to the provisions of



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2709 s. 373.046. In addition to its other powers and duties, the  
2710 department shall, to the greatest extent possible:

2711 (8)

2712 (c) Notwithstanding paragraph (b), the use of state funds  
2713 for land purchases from willing sellers is authorized for  
2714 projects ~~within the South Florida Water Management District's~~  
2715 ~~approved 5-year plan of acquisition pursuant to s. 373.59 or~~  
2716 within the South Florida Water Management District's approved  
2717 Florida Forever water management district work plan pursuant to  
2718 s. 373.199.

2719 Section 35. Subsection (4) of section 373.089, Florida  
2720 Statutes, is amended to read:

2721 373.089 Sale or exchange of lands, or interests or rights  
2722 in lands.—The governing board of the district may sell lands, or  
2723 interests or rights in lands, to which the district has acquired  
2724 title or to which it may hereafter acquire title in the  
2725 following manner:

2726 (4) The governing board of a district may exchange lands,  
2727 or interests or rights in lands, owned by, or lands, or  
2728 interests or rights in lands, for which title is otherwise  
2729 vested in, the district for other lands, or interests or rights  
2730 in lands, within the state owned by any person. The governing  
2731 board shall fix the terms and conditions of any such exchange  
2732 and may pay or receive any sum of money that the board considers  
2733 necessary to equalize the values of exchanged properties. Land,  
2734 or interests or rights in land, acquired under former s. 373.59,  
2735 Florida Statutes 2014, may be exchanged only for lands, or  
2736 interests or rights in lands, that otherwise meet the  
2737 requirements of that section for acquisition.



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2738 Section 36. Paragraph (a) of subsection (5) of section  
2739 373.129, Florida Statutes, is amended to read:

2740 373.129 Maintenance of actions.—The department, the  
2741 governing board of any water management district, any local  
2742 board, or a local government to which authority has been  
2743 delegated pursuant to s. 373.103(8), is authorized to commence  
2744 and maintain proper and necessary actions and proceedings in any  
2745 court of competent jurisdiction for any of the following  
2746 purposes:

2747 (5) To recover a civil penalty for each offense in an  
2748 amount not to exceed \$10,000 per offense. Each date during which  
2749 such violation occurs constitutes a separate offense.

2750 (a) A civil penalty recovered by a water management  
2751 district pursuant to this subsection shall be retained deposited  
2752 in the Water Management Lands Trust Fund established under s.  
2753 373.59 and used exclusively by the water management district  
2754 that collected deposits the money into the fund. A civil penalty  
2755 recovered by the department pursuant to this subsection must be  
2756 deposited into the Water Quality Assurance Trust Fund  
2757 established under s. 376.307 Any such civil penalty recovered  
2758 after the expiration of such fund shall be deposited in the  
2759 Ecosystem Management and Restoration Trust Fund and used  
2760 exclusively within the water management district that deposits  
2761 the money into the fund.

2762 Section 37. Subsection (5) of section 373.1391, Florida  
2763 Statutes, is amended to read:

2764 373.1391 Management of real property.—

2765 (5) The following additional uses of lands acquired  
2766 pursuant to the Florida Forever program and other state-funded





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2767 land purchase programs shall be authorized, upon a finding by  
2768 the governing board, if they meet the criteria specified in  
2769 paragraphs (a)-(e): water resource development projects, water  
2770 supply development projects, stormwater management projects,  
2771 linear facilities, and sustainable agriculture and forestry.  
2772 Such additional uses are authorized where:

2773 (a) Not inconsistent with the management plan for such  
2774 lands;

2775 (b) Compatible with the natural ecosystem and resource  
2776 values of such lands;

2777 (c) The proposed use is appropriately located on such lands  
2778 and where due consideration is given to the use of other  
2779 available lands;

2780 (d) The using entity reasonably compensates the titleholder  
2781 for such use based upon an appropriate measure of value; and

2782 (e) The use is consistent with the public interest.  
2783

2784 A decision by the governing board pursuant to this subsection  
2785 shall be given a presumption of correctness. Moneys received  
2786 from the use of state lands pursuant to this subsection shall be  
2787 returned to the lead managing agency ~~in accordance with the~~  
2788 ~~provisions of s. 373.59.~~

2789 Section 38. Subsection (7) of section 373.199, Florida  
2790 Statutes, is amended to read:

2791 373.199 Florida Forever Water Management District Work  
2792 Plan.—

2793 (7) By June 1, 2001, each district shall file with the  
2794 President of the Senate, the Speaker of the House of  
2795 Representatives, and the Secretary of Environmental Protection



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2796 the initial 5-year work plan as required under subsection (2).  
2797 By March 1 of each year thereafter, as part of the consolidated  
2798 annual report required by s. 373.036(7), each district shall  
2799 report on acquisitions completed during the year together with  
2800 modifications or additions to its 5-year work plan. Included in  
2801 the report shall be:

2802 (a) A description of land management activity for each  
2803 property or project area owned by the water management district.

2804 (b) A list of any lands surplused and the amount of  
2805 compensation received.

2806 (c) The progress of funding, staffing, and resource  
2807 management of every project funded pursuant to former s.  
2808 259.101(3), Florida Statutes 2014 ~~s. 259.101~~, s. 259.105, or  
2809 former s. 373.59(2), Florida Statutes 2014, ~~s. 373.59~~ for which  
2810 the district is responsible.

2811  
2812 The secretary shall submit the report referenced in this  
2813 subsection to the Board of Trustees of the Internal Improvement  
2814 Trust Fund together with the Acquisition and Restoration  
2815 Council's project list as required under s. 259.105.

2816 Section 39. Subsection (7) of section 373.430, Florida  
2817 Statutes, is amended to read:

2818 373.430 Prohibitions, violation, penalty, intent.—

2819 (7) All moneys recovered under the provisions of this  
2820 section shall be allocated to the use of the water management  
2821 district, the department, or the local government, whichever  
2822 undertook and maintained the enforcement action. All monetary  
2823 penalties and damages recovered by the department or the state  
2824 under the provisions of this section shall be deposited into ~~in~~



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2825 the Water Quality Assurance Ecosystem Management and Restoration  
2826 Trust Fund. All monetary penalties and damages recovered  
2827 pursuant to this section by a water management district shall be  
2828 retained deposited in the Water Management Lands Trust Fund  
2829 established under s. 373.59 and used exclusively within the  
2830 territory of the water management district which collected  
2831 deposits the money into the fund. Any such monetary penalties  
2832 and damages recovered after the expiration of such fund shall be  
2833 deposited in the Ecosystem Management and Restoration Trust Fund  
2834 and used exclusively within the territory of the water  
2835 management district which deposits the money into the fund. All  
2836 monetary penalties and damages recovered pursuant to this  
2837 subsection by a local government to which authority has been  
2838 delegated pursuant to s. 373.103(8) shall be used to enhance  
2839 surface water improvement or pollution control activities.

2840 Section 40. Subsections (3) through (6) of section 373.459,  
2841 Florida Statutes, are amended to read:

2842 373.459 Funds for surface water improvement and  
2843 management.-

2844 (3) ~~The Ecosystem Management and Restoration Trust Fund~~  
2845 ~~shall be used for the deposit of funds appropriated by the~~  
2846 ~~Legislature for the purposes of ss. 373.451-373.4595~~. The  
2847 department shall administer all funds appropriated to or  
2848 received for surface water improvement and management  
2849 activities. Expenditure of the moneys shall be limited to the  
2850 costs of detailed planning and plan and program implementation  
2851 for priority surface water bodies. Moneys may ~~from the fund~~  
2852 ~~shall~~ not be expended for planning for, or construction or  
2853 expansion of, treatment facilities for domestic or industrial



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2854 waste disposal.

2855 (4) The department shall authorize the release of money  
2856 ~~from the fund in accordance with the provisions of s. 373.501(2)~~  
2857 ~~and procedures in s. 373.59(4) and (5).~~

2858 ~~(5) Moneys in the fund which are not needed to meet current~~  
2859 ~~obligations incurred under this section shall be transferred to~~  
2860 ~~the State Board of Administration, to the credit of the trust~~  
2861 ~~fund, to be invested in the manner provided by law. Interest~~  
2862 ~~received on such investments shall be credited to the trust~~  
2863 ~~fund.~~

2864 ~~(5)(6)~~ The match requirement of subsection (2) does ~~shall~~  
2865 not apply to the Suwannee River Water Management District, the  
2866 Northwest Florida Water Management District, or a financially  
2867 disadvantaged small local government as defined in former s.  
2868 403.885(3).

2869 Section 41. Paragraph (a) of subsection (3) of section  
2870 373.4592, Florida Statutes, is amended to read:

2871 373.4592 Everglades improvement and management.—

2872 (3) EVERGLADES LONG-TERM PLAN.—

2873 (a) The Legislature finds that the Everglades Program  
2874 required by this section establishes more extensive and  
2875 comprehensive requirements for surface water improvement and  
2876 management within the Everglades than the SWIM plan requirements  
2877 provided in ss. 373.451 and 373.453. In order to avoid  
2878 duplicative requirements, and in order to conserve the resources  
2879 available to the district, the SWIM plan requirements of those  
2880 sections shall not apply to the Everglades Protection Area and  
2881 the EAA during the term of the Everglades Program, and the  
2882 district will neither propose, nor take final agency action on,



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2883 any Everglades SWIM plan for those areas until the Everglades  
2884 Program is fully implemented. Funds identified under former s.  
2885 259.101(3)(b), Florida Statutes 2014, may be used for  
2886 acquisition of lands necessary to implement the Everglades  
2887 Construction Project, to the extent these funds are identified  
2888 in the Statement of Principles of July 1993. The district's  
2889 actions in implementing the Everglades Construction Project  
2890 relating to the responsibilities of the EAA and C-139 Basin for  
2891 funding and water quality compliance in the EAA and the  
2892 Everglades Protection Area shall be governed by this section.  
2893 Other strategies or activities in the March 1992 Everglades SWIM  
2894 plan may be implemented if otherwise authorized by law.

2895 Section 42. Subsection (4) of section 373.45926, Florida  
2896 Statutes, is amended to read:

2897 373.45926 Everglades Trust Fund; allocation of revenues and  
2898 expenditure of funds for conservation and protection of natural  
2899 resources and abatement of water pollution.-

2900 (4) The following funds shall be deposited into the  
2901 Everglades Trust Fund specifically for the implementation of the  
2902 Everglades Forever Act.

2903 (a) Alligator Alley toll revenues pursuant to s. 338.26(3).

2904 (b) Everglades agricultural privilege tax revenues pursuant  
2905 to s. 373.4592(6).

2906 (c) C-139 agricultural privilege tax revenues pursuant to  
2907 s. 373.4592(7).

2908 (d) Special assessment revenues pursuant to s. 373.4592(8).

2909 (e) Ad valorem revenues pursuant to s. 373.4592(4)(a).

2910 (f) Federal funds appropriated by the United States  
2911 Congress for any component of the Everglades Construction



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2912 Project.

2913 ~~(g) Preservation 2000 funds for acquisition of lands~~  
2914 ~~necessary for implementation of the Everglades Forever Act as~~  
2915 ~~prescribed in an annual appropriation.~~

2916 ~~(g)(h)~~ Any additional funds specifically appropriated by  
2917 the Legislature for this purpose.

2918 ~~(h)(i)~~ Gifts designated for implementation of the  
2919 Everglades Forever Act from individuals, corporations, and other  
2920 entities.

2921 ~~(i)(j)~~ Any additional funds that become available for this  
2922 purpose from any other source.

2923 Section 43. Paragraph (e) of subsection (4), paragraph (a)  
2924 of subsection (6), and paragraph (b) of subsection (7) of  
2925 section 373.470, Florida Statutes, are amended to read:

2926 373.470 Everglades restoration.—

2927 (4) SAVE OUR EVERGLADES TRUST FUND; FUNDS AUTHORIZED FOR  
2928 DEPOSIT.—The following funds may be deposited into the Save Our  
2929 Everglades Trust Fund created by s. 373.472 to finance  
2930 implementation of the comprehensive plan, the Lake Okeechobee  
2931 Watershed Protection Plan, the River Watershed Protection Plans,  
2932 and the Keys Wastewater Plan:

2933 ~~(e) Funds made available pursuant to s. 201.15 for debt~~  
2934 ~~service for Everglades restoration bonds.~~

2935 (6) DISTRIBUTIONS FROM SAVE OUR EVERGLADES TRUST FUND.—

2936 (a) Except as provided in paragraphs (d) and (e) and for  
2937 funds appropriated for debt service, the department shall  
2938 distribute funds in the Save Our Everglades Trust Fund to the  
2939 district in accordance with a legislative appropriation and s.  
2940 373.026(8)(b) ~~and (c)~~. Distribution of funds to the district



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2941 from the Save Our Everglades Trust Fund shall be equally matched  
2942 by the cumulative contributions from the district by fiscal year  
2943 2019-2020 by providing funding or credits toward project  
2944 components. The dollar value of in-kind project design and  
2945 construction work by the district in furtherance of the  
2946 comprehensive plan and existing interest in public lands needed  
2947 for a project component are credits towards the district's  
2948 contributions.

2949 (7) ANNUAL REPORT.—To provide enhanced oversight of and  
2950 accountability for the financial commitments established under  
2951 this section and the progress made in the implementation of the  
2952 comprehensive plan, the following information must be prepared  
2953 annually as part of the consolidated annual report required by  
2954 s. 373.036(7):

2955 (b) The department shall prepare a detailed report on all  
2956 funds expended by the state and credited toward the state's  
2957 share of funding for implementation of the comprehensive plan.  
2958 The report shall include:

2959 1. A description of all expenditures, by source and amount,  
2960 from the former Conservation and Recreation Lands Trust Fund,  
2961 the Land Acquisition Trust Fund, the former Preservation 2000  
2962 Trust Fund, the Florida Forever Trust Fund, the Save Our  
2963 Everglades Trust Fund, and other named funds or accounts for the  
2964 acquisition or construction of project components or other  
2965 features or facilities that benefit the comprehensive plan.

2966 2. A description of the purposes for which the funds were  
2967 expended.

2968 3. The unencumbered fiscal-year-end balance that remains in  
2969 each trust fund or account identified in subparagraph 1.



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2970  
2971 The information required in paragraphs (a), (b), and (c) shall  
2972 be provided as part of the consolidated annual report required  
2973 by s. 373.036(7). The initial report is due by November 30,  
2974 2000, and each annual report thereafter is due by March 1.

2975 Section 44. Subsection (1) of section 373.472, Florida  
2976 Statutes, is amended to read:

2977 373.472 Save Our Everglades Trust Fund.—

2978 (1) There is created within the Department of Environmental  
2979 Protection the Save Our Everglades Trust Fund. Funds in the  
2980 trust fund shall be expended to implement the comprehensive plan  
2981 as defined in s. 373.470(2); the Lake Okeechobee Watershed  
2982 Protection Plan as defined in s. 373.4595(2); the Caloosahatchee  
2983 River Watershed Protection Plan as defined in s. 373.4595(2);  
2984 the St. Lucie River Watershed Protection Plan as defined in s.  
2985 373.4595(2); the Long-Term Plan as defined in s. 373.4592(2);  
2986 and the Florida Keys Area of Critical State Concern protection  
2987 program under ss. 380.05 and 380.0552 to restore and conserve  
2988 natural systems through the implementation of water management  
2989 projects, including wastewater management projects identified in  
2990 the "Keys Wastewater Plan" dated November 2007 and submitted to  
2991 the Florida House of Representatives on December 4, 2007, ~~and to~~  
2992 ~~pay debt service for Everglades restoration bonds issued~~  
2993 ~~pursuant to s. 215.619.~~ The trust fund shall serve as the  
2994 repository for state, local, and federal project contributions  
2995 in accordance with s. 373.470(4).

2996 Section 45. Subsection (2) of section 373.584, Florida  
2997 Statutes, is amended to read:

2998 373.584 Revenue bonds.—





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2999           (2) Revenues derived by the district ~~from the Water~~  
3000 ~~Management Lands Trust Fund as provided in s. 373.59 or any~~  
3001 ~~other revenues of the district~~ may be pledged to the payment of  
3002 ~~such~~ revenue bonds; however, the ad valorem taxing powers of the  
3003 district may not be pledged to the payment of such revenue bonds  
3004 without prior compliance with the requirements of the State  
3005 Constitution as to the affirmative vote of the electors of the  
3006 district and with the requirements of s. 373.563, ~~and bonds~~  
3007 ~~payable from the Water Management Lands Trust Fund shall be~~  
3008 ~~issued solely for the purposes set forth in s. 373.59.~~ Revenue  
3009 bonds and notes shall be, and shall be deemed to be, for all  
3010 purposes, negotiable instruments, subject only to the provisions  
3011 of the revenue bonds and notes for registration. The powers and  
3012 authority of districts to issue revenue bonds, including, but  
3013 not limited to, bonds to finance a stormwater management system  
3014 as defined by s. 373.403, and to enter into contracts incidental  
3015 thereto, and to do all things necessary and desirable in  
3016 connection with the issuance of revenue bonds, shall be  
3017 coextensive with the powers and authority of municipalities to  
3018 issue bonds under state law. The provisions of this section  
3019 constitute full and complete authority for the issuance of  
3020 revenue bonds and shall be liberally construed to effectuate its  
3021 purpose.

3022           Section 46. Section 373.59, Florida Statutes, is amended to  
3023 read:

3024           373.59 Payment in lieu of taxes for lands acquired for  
3025 water management district purposes ~~Water Management Lands Trust~~  
3026 ~~Fund.~~—

3027           (1) ~~There is established within the Department of~~



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3028 ~~Environmental Protection the Water Management Lands Trust Fund~~  
3029 ~~to be used as a nonlapsing fund for the purposes of this~~  
3030 ~~section. The moneys in this fund are hereby continually~~  
3031 ~~appropriated for the purposes of land acquisition, management,~~  
3032 ~~maintenance, capital improvements of land titled to the~~  
3033 ~~districts, payments in lieu of taxes, debt service on bonds~~  
3034 ~~issued prior to July 1, 1999, debt service on bonds issued on or~~  
3035 ~~after July 1, 1999, which are issued to refund bonds issued~~  
3036 ~~before July 1, 1999, preacquisition costs associated with land~~  
3037 ~~purchases, and the department's costs of administration of the~~  
3038 ~~fund. No refunding bonds may be issued which mature after the~~  
3039 ~~final maturity date of the bonds being refunded or which provide~~  
3040 ~~for higher debt service in any year than is payable on such~~  
3041 ~~bonds as of February 1, 2009. The department's costs of~~  
3042 ~~administration shall be charged proportionally against each~~  
3043 ~~district's allocation using the formula provided in subsection~~  
3044 ~~(8). Capital improvements shall include, but need not be limited~~  
3045 ~~to, perimeter fencing, signs, firelanes, control of invasive~~  
3046 ~~exotic species, controlled burning, habitat inventory and~~  
3047 ~~restoration, law enforcement, access roads and trails, and~~  
3048 ~~minimal public accommodations, such as primitive campsites,~~  
3049 ~~garbage receptacles, and toilets. The moneys in the fund may~~  
3050 ~~also be appropriated to supplement operational expenditures at~~  
3051 ~~the Northwest Florida Water Management District and the Suwannee~~  
3052 ~~River Water Management District, with such appropriations~~  
3053 ~~allocated prior to the allocations set out in subsection (8) to~~  
3054 ~~the five water management districts.~~

3055 ~~(2) Until the Preservation 2000 Program is concluded, each~~  
3056 ~~district shall file with the Legislature and the Secretary of~~



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3057 ~~Environmental Protection a report of acquisition activity, by~~  
3058 ~~January 15 of each year, together with modifications or~~  
3059 ~~additions to its 5-year plan of acquisition. Included in the~~  
3060 ~~report shall be an identification of those lands which require a~~  
3061 ~~full fee simple interest to achieve water management goals and~~  
3062 ~~those lands which can be acquired using alternatives to fee~~  
3063 ~~simple acquisition techniques and still achieve such goals. In~~  
3064 ~~their evaluation of which lands would be appropriate for~~  
3065 ~~acquisition through alternatives to fee simple, district staff~~  
3066 ~~shall consider criteria including, but not limited to,~~  
3067 ~~acquisition costs, the net present value of future land~~  
3068 ~~management costs, the net present value of ad valorem revenue~~  
3069 ~~loss to the local government, and the potential for revenue~~  
3070 ~~generated from activities compatible with acquisition~~  
3071 ~~objectives. The report shall also include a description of land~~  
3072 ~~management activity. However, no acquisition of lands shall~~  
3073 ~~occur without a public hearing similar to those held pursuant to~~  
3074 ~~the provisions set forth in s. 120.54. In the annual update of~~  
3075 ~~its 5-year plan for acquisition, each district shall identify~~  
3076 ~~lands needed to protect or recharge groundwater and shall~~  
3077 ~~establish a plan for their acquisition as necessary to protect~~  
3078 ~~potable water supplies. Lands which serve to protect or recharge~~  
3079 ~~groundwater identified pursuant to this paragraph shall also~~  
3080 ~~serve to protect other valuable natural resources or provide~~  
3081 ~~space for natural resource based recreation. Once all~~  
3082 ~~Preservation 2000 funds allocated to the water management~~  
3083 ~~districts have been expended or committed, this subsection shall~~  
3084 ~~be repealed.~~

3085 ~~(3) Each district shall remove the property of an unwilling~~



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3086 ~~seller from its plan of acquisition at the next scheduled update~~  
3087 ~~of the plan, if in receipt of a request to do so by the property~~  
3088 ~~owner. This subsection shall be repealed at the conclusion of~~  
3089 ~~the Preservation 2000 program.~~

3090 ~~(4) The Secretary of Environmental Protection shall release~~  
3091 ~~moneys from the Water Management Lands Trust Fund to a district~~  
3092 ~~for preacquisition costs within 30 days after receipt of a~~  
3093 ~~resolution adopted by the district's governing board which~~  
3094 ~~identifies and justifies any such preacquisition costs necessary~~  
3095 ~~for the purchase of any lands listed in the district's 5-year~~  
3096 ~~plan. The district shall return to the department any funds not~~  
3097 ~~used for the purposes stated in the resolution, and the~~  
3098 ~~department shall deposit the unused funds into the Water~~  
3099 ~~Management Lands Trust Fund.~~

3100 ~~(5) The Secretary of Environmental Protection shall release~~  
3101 ~~to the districts moneys for management, maintenance, and capital~~  
3102 ~~improvements following receipt of a resolution and request~~  
3103 ~~adopted by the governing board which specifies the designated~~  
3104 ~~managing agency, specific management activities, public use,~~  
3105 ~~estimated annual operating costs, and other acceptable~~  
3106 ~~documentation to justify release of moneys.~~

3107 ~~(6) If a district issues revenue bonds or notes under s.~~  
3108 ~~373.584 prior to July 1, 1999, the district may pledge its share~~  
3109 ~~of the moneys in the Water Management Lands Trust Fund as~~  
3110 ~~security for such bonds or notes. The Department of~~  
3111 ~~Environmental Protection shall pay moneys from the trust fund to~~  
3112 ~~a district or its designee sufficient to pay the debt service,~~  
3113 ~~as it becomes due, on the outstanding bonds and notes of the~~  
3114 ~~district; however, such payments shall not exceed the district's~~



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3115 ~~cumulative portion of the trust fund. However, any moneys~~  
3116 ~~remaining after payment of the amount due on the debt service~~  
3117 ~~shall be released to the district pursuant to subsection (5).~~

3118 ~~(7) Any unused portion of a district's share of the fund~~  
3119 ~~shall accumulate in the trust fund to the credit of that~~  
3120 ~~district. Interest earned on such portion shall also accumulate~~  
3121 ~~to the credit of that district to be used for management,~~  
3122 ~~maintenance, and capital improvements as provided in this~~  
3123 ~~section. The total moneys over the life of the fund available to~~  
3124 ~~any district under this section shall not be reduced except by~~  
3125 ~~resolution of the district governing board stating that the need~~  
3126 ~~for the moneys no longer exists. Any water management district~~  
3127 ~~with fund balances in the Water Management Lands Trust Fund as~~  
3128 ~~of March 1, 1999, may expend those funds for land acquisitions~~  
3129 ~~pursuant to s. 373.139, or for the purpose specified in this~~  
3130 ~~subsection.~~

3131 ~~(8) Moneys from the Water Management Lands Trust Fund shall~~  
3132 ~~be allocated as follows:~~

3133 ~~(a) Beginning with the 2009-2010 fiscal year, thirty~~  
3134 ~~percent shall be used first to pay debt service on bonds issued~~  
3135 ~~before February 1, 2009, by the South Florida Water Management~~  
3136 ~~District which are secured by revenues provided by this section~~  
3137 ~~or to fund debt service reserve funds, rebate obligations, or~~  
3138 ~~other amounts payable with respect to such bonds, then to~~  
3139 ~~transfer \$3,000,000 to the credit of the General Revenue Fund in~~  
3140 ~~each fiscal year, and lastly to distribute the remainder to the~~  
3141 ~~South Florida Water Management District.~~

3142 ~~(b) Beginning with the 2009-2010 fiscal year, twenty-five~~  
3143 ~~percent shall be used first to transfer \$2,500,000 to the credit~~



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3144 ~~of the General Revenue Fund in each fiscal year and then to~~  
3145 ~~distribute the remainder to the Southwest Florida Water~~  
3146 ~~Management District.~~

3147 ~~(c) Beginning with the 2009-2010 fiscal year, twenty-five~~  
3148 ~~percent shall be used first to pay debt service on bonds issued~~  
3149 ~~before February 1, 2009, by the St. Johns River Water Management~~  
3150 ~~District which are secured by revenues provided by this section~~  
3151 ~~or to fund debt service reserve funds, rebate obligations, or~~  
3152 ~~other amounts payable with respect to such bonds, then to~~  
3153 ~~transfer \$2,500,000 to the credit of the General Revenue Fund in~~  
3154 ~~each fiscal year, and to distribute the remainder to the St.~~  
3155 ~~Johns River Water Management District.~~

3156 ~~(d) Ten percent to the Suwannee River Water Management~~  
3157 ~~District.~~

3158 ~~(e) Ten percent to the Northwest Florida Water Management~~  
3159 ~~District.~~

3160 ~~(9) Moneys in the fund not needed to meet current~~  
3161 ~~obligations incurred under this section shall be transferred to~~  
3162 ~~the State Board of Administration, to the credit of the fund, to~~  
3163 ~~be invested in the manner provided by law. Interest received on~~  
3164 ~~such investments shall be credited to the fund.~~

3165 ~~(10)(a) Beginning July 1, 1999, not more than one-fourth of~~  
3166 ~~the funds provided for in subsections (1) and (8) in any year~~  
3167 ~~shall be reserved annually by a governing board, during the~~  
3168 ~~development of its annual operating budget, for payments in lieu~~  
3169 ~~of taxes for all actual ad valorem tax losses incurred as a~~  
3170 ~~result of all governing board acquisitions for water management~~  
3171 ~~district purposes. Reserved funds not used for payments in lieu~~  
3172 ~~of taxes in any year shall revert to the Water Management Lands~~



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3173 ~~Trust Fund to be used in accordance with the provisions of this~~  
3174 ~~section.~~

3175 (2) ~~(b)~~ Payment in lieu of taxes shall be available:

3176 (a) ~~1.~~ To all counties that have a population of 150,000 or  
3177 fewer. Population levels shall be determined pursuant to s.  
3178 186.901. The population estimates published April 1 and used in  
3179 the revenue-sharing formula pursuant to s. 186.901 shall be used  
3180 to determine eligibility under this subsection and shall apply  
3181 to payments made for the subsequent fiscal year.

3182 (b) ~~2.~~ To all local governments located in eligible counties  
3183 and whose lands are bought and taken off the tax rolls.

3184  
3185 For properties acquired after January 1, 2000, in the event that  
3186 such properties otherwise eligible for payment in lieu of taxes  
3187 under this subsection are leased or reserved and remain subject  
3188 to ad valorem taxes, payments in lieu of taxes shall commence or  
3189 recommence upon the expiration or termination of the lease or  
3190 reservation. If the lease is terminated for only a portion of  
3191 the lands at any time, the annual payments shall be made for  
3192 that portion only commencing the year after such termination,  
3193 without limiting the requirement that annual payments shall be  
3194 made on the remaining portion or portions of the land as the  
3195 lease on each expires. For the purposes of this subsection,  
3196 "local government" includes municipalities and the county school  
3197 board.

3198 (3) ~~(e)~~ If sufficient funds are unavailable in any year to  
3199 make full payments to all qualifying counties and local  
3200 governments, such counties and local governments shall receive a  
3201 pro rata share of the moneys available.



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3202            (4) ~~(d)~~ The payment amount shall be based on the average  
3203 amount of actual ad valorem taxes paid on the property for the 3  
3204 years preceding acquisition. Applications for payment in lieu of  
3205 taxes shall be made no later than May 31 of the year for which  
3206 payment is sought. No payment in lieu of taxes shall be made for  
3207 properties which were exempt from ad valorem taxation for the  
3208 year immediately preceding acquisition.

3209            (5) ~~(e)~~ If property that was subject to ad valorem taxation  
3210 was acquired by a tax-exempt entity for ultimate conveyance to  
3211 the state under this chapter, payment in lieu of taxes shall be  
3212 made for such property based upon the average amount of ad  
3213 valorem taxes paid on the property for the 3 years prior to its  
3214 being removed from the tax rolls. The water management districts  
3215 shall certify to the Department of Revenue those properties that  
3216 may be eligible under this provision. Once eligibility has been  
3217 established, that governmental entity shall receive annual  
3218 payments for each tax loss until the qualifying governmental  
3219 entity exceeds the population threshold pursuant to subsection  
3220 (2) paragraph (b).

3221            (6) ~~(f)~~ Payment in lieu of taxes pursuant to this section  
3222 ~~subsection~~ shall be made annually to qualifying counties and  
3223 local governments after certification by the Department of  
3224 Revenue that the amounts applied for are reasonably appropriate,  
3225 based on the amount of actual ad valorem taxes paid on the  
3226 eligible property, and after the water management districts have  
3227 provided supporting documents to the Chief Financial Officer and  
3228 have requested that payment be made in accordance with the  
3229 requirements of this section. With the assistance of the local  
3230 government requesting payment in lieu of taxes, the water





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3231 management district that acquired the land is responsible for  
3232 preparing and submitting application requests for payment to the  
3233 Department of Revenue for certification.

3234 ~~(7)(g)~~ If a water management district conveys to a county  
3235 or local government title to any land owned by the district, any  
3236 payments in lieu of taxes on the land made to the county or  
3237 local government shall be discontinued as of the date of the  
3238 conveyance.

3239 ~~(11) Notwithstanding any provision of this section to the~~  
3240 ~~contrary, the governing board of a water management district may~~  
3241 ~~request, and the Secretary of Environmental Protection shall~~  
3242 ~~release upon such request, moneys allocated to the districts~~  
3243 ~~pursuant to subsection (8) for purposes consistent with the~~  
3244 ~~provisions of s. 373.709, s. 373.705, s. 373.139, or ss.~~  
3245 ~~373.451-373.4595 and for legislatively authorized land~~  
3246 ~~acquisition and water restoration initiatives. No funds may be~~  
3247 ~~used pursuant to this subsection until necessary debt service~~  
3248 ~~obligations, requirements for payments in lieu of taxes, and~~  
3249 ~~land management obligations that may be required by this chapter~~  
3250 ~~are provided for.~~

3251 ~~(12) Notwithstanding subsection (8), and for the 2014-2015~~  
3252 ~~fiscal year only, the moneys from the Water Management Lands~~  
3253 ~~Trust Fund are allocated as follows:~~

3254 ~~(a) An amount necessary to pay debt service on bonds issued~~  
3255 ~~before February 1, 2009, by the South Florida Water Management~~  
3256 ~~District and the St. Johns River Water Management District,~~  
3257 ~~which are secured by revenues provided pursuant to this section,~~  
3258 ~~or to fund debt service reserve funds, rebate obligations, or~~  
3259 ~~other amounts payable with respect to such bonds.~~



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3260           ~~(b) Eight million dollars to be transferred to the General~~  
3261 ~~Revenue Fund.~~

3262           ~~(c) Seven million seven hundred thousand dollars to be~~  
3263 ~~transferred to the Save Our Everglades Trust Fund to support~~  
3264 ~~Everglades restoration projects included in the final report of~~  
3265 ~~the Select Committee on Indian River Lagoon and Lake Okeechobee~~  
3266 ~~Basin, dated November 8, 2013.~~

3267           ~~(d) Any remaining funds to be provided in accordance with~~  
3268 ~~the General Appropriations Act.~~

3269

3270 ~~This subsection expires July 1, 2015.~~

3271           Section 47. Section 373.5905, Florida Statutes, is amended  
3272 to read:

3273           373.5905 Reinstatement of payments in lieu of taxes;  
3274 duration.—If a water management district has made a payment in  
3275 lieu of taxes to a governmental entity and subsequently  
3276 suspended such payment, beginning July 1, 2009, the water  
3277 management district shall reinstate appropriate payments and  
3278 continue the payments for as long as the county population  
3279 remains below the population threshold pursuant to s.

3280 373.59(2)(a) s. 373.59(10)(b). This section does not authorize  
3281 or provide for payments in arrears.

3282           Section 48. Subsection (8) of section 373.703, Florida  
3283 Statutes, is amended to read:

3284           373.703 Water production; general powers and duties.—In the  
3285 performance of, and in conjunction with, its other powers and  
3286 duties, the governing board of a water management district  
3287 existing pursuant to this chapter:

3288           (8) In addition to the power to issue revenue bonds



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3289 pursuant to s. 373.584, may issue revenue bonds for the purposes  
3290 of paying the costs and expenses incurred in carrying out the  
3291 purposes of this chapter or refunding obligations of the  
3292 district issued pursuant to this section. Such revenue bonds  
3293 shall be secured by, and be payable from, revenues derived from  
3294 the operation, lease, or use of its water production and  
3295 transmission facilities and other water-related facilities and  
3296 from the sale of water or services relating thereto. Such  
3297 revenue bonds may not be secured by, or be payable from, ~~moneys~~  
3298 ~~derived by the district from the Water Management Lands Trust~~  
3299 ~~Fund or from~~ ad valorem taxes received by the district or from  
3300 moneys appropriated by the Legislature, unless otherwise  
3301 specifically authorized by law. All provisions of s. 373.584  
3302 relating to the issuance of revenue bonds which are not  
3303 inconsistent with this section shall apply to the issuance of  
3304 revenue bonds pursuant to this section. The district may also  
3305 issue bond anticipation notes in accordance with the provisions  
3306 of s. 373.584.

3307 Section 49. Subsection (8) of section 375.031, Florida  
3308 Statutes, is amended to read:

3309 375.031 Acquisition of land; procedures.—

3310 (8) The department may, if it deems it desirable and in the  
3311 best interest of the program, request the board of trustees to  
3312 sell or otherwise dispose of any lands or water storage areas  
3313 acquired under this act. The board of trustees, when so  
3314 requested, shall offer the lands or water storage areas, on such  
3315 terms as the department may determine, first to other state  
3316 agencies and then, if still available, to the county or  
3317 municipality in which the lands or water storage areas lie. If



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3318 not acquired by another state agency or local governmental body  
3319 for beneficial public purposes, the lands or water storage areas  
3320 shall then be offered by the board of trustees at public sale,  
3321 after first giving notice of such sale by publication in a  
3322 newspaper published in the county or counties in which such  
3323 lands or water storage areas lie not less than once a week for 3  
3324 consecutive weeks. All proceeds from the sale or disposition of  
3325 any lands or water storage areas pursuant to this section shall  
3326 be deposited into the appropriate trust fund pursuant to s.  
3327 253.034(6)(k), (l), or (m) in the Land Acquisition Trust Fund.

3328 Section 50. Section 375.041, Florida Statutes, is amended  
3329 to read:

3330 375.041 Land Acquisition Trust Fund.-

3331 (1) There is created a Land Acquisition Trust Fund within  
3332 the Department of Environmental Protection. The Land Acquisition  
3333 Trust Fund is designated by s. 28, Art. X of the State  
3334 Constitution for receipt of certain documentary stamp tax  
3335 revenue for the uses prescribed therein to facilitate and  
3336 expedite the acquisition of land, water areas, and related  
3337 resources required to accomplish the purposes of this act. The  
3338 Land Acquisition Trust Fund shall be held and administered by  
3339 the department. The Land Acquisition Trust Fund shall continue  
3340 for as long as bonds are outstanding pursuant to s. 215.618 or  
3341 s. 215.619, or any bonds secured on a parity basis with such  
3342 bonds, or until the requirement of s. 28, Art. X of the State  
3343 Constitution expires, whichever is later ~~All moneys and revenue~~  
3344 ~~from the operation, management, sale, lease, or other~~  
3345 ~~disposition of land, water areas, related resources, and the~~  
3346 ~~facilities thereon acquired or constructed under this act shall~~



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3347 ~~be deposited in or credited to the Land Acquisition Trust Fund.~~  
3348 ~~Moneys accruing to any agency for the purposes enumerated in~~  
3349 ~~this act may be deposited in this fund. There shall also be~~  
3350 ~~deposited into the Land Acquisition Trust Fund other moneys as~~  
3351 ~~authorized by appropriate act of the Legislature. All moneys so~~  
3352 deposited into the Land Acquisition Trust Fund shall be trust  
3353 funds for the uses and purposes herein set forth, within the  
3354 meaning of s. 215.32(1)(b); and such moneys shall not become or  
3355 be commingled with the General Revenue Fund of the state, as  
3356 defined by s. 215.32(1)(a).

3357 (2) All moneys and revenue from the sale or other  
3358 disposition of land, water areas, or related resources acquired  
3359 on or after July 1, 2015, for the purposes of s. 28, Art. X of  
3360 the State Constitution shall be deposited into or credited to  
3361 the Land Acquisition Trust Fund, except as otherwise provided  
3362 pursuant to s. 253.034(6)(1).

3363 (3) Funds distributed into ~~The moneys on deposit in the~~  
3364 Land Acquisition Trust Fund pursuant to s. 201.15 shall be ~~first~~  
3365 applied to:

3366 (a) First, to pay debt service or to fund debt service  
3367 reserve funds, rebate obligations, or other amounts payable with  
3368 respect to Florida Forever bonds issued under s. 215.618; and  
3369 pay debt service, provide reserves, and pay rebate obligations  
3370 and other amounts due with respect to Everglades restoration  
3371 bonds issued under s. 215.619;

3372 (b) Then, to pay the debt service on bonds issued before  
3373 February 1, 2009, by the South Florida Water Management District  
3374 and the St. Johns River Water Management District, which are  
3375 secured by revenues provided pursuant to former s. 373.59,



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3376 Florida Statutes 2014, or which are necessary to fund debt  
3377 service reserve funds, rebate obligations, or other amounts  
3378 payable with respect to such bonds. This paragraph expires July  
3379 1, 2016; and

3380 (c) Then, to distribute \$32 million each fiscal year to the  
3381 South Florida Water Management District for the Long-Term Plan  
3382 as defined in s. 373.4592(2). This paragraph expires July 1,  
3383 2024 ~~pay the rentals due under lease purchase agreements or to~~  
3384 ~~meet debt service requirements of revenue bonds issued pursuant~~  
3385 ~~to s. 375.051; provided, however, that debt service on Save Our~~  
3386 ~~Coast bonds shall not be paid from moneys transferred to the~~  
3387 ~~Land Acquisition Trust Fund pursuant to s. 259.032(2)(b).~~

3388 ~~(4)(3)(a)~~ (4) Any remaining moneys in the Land Acquisition  
3389 Trust Fund which are not distributed ~~pledged for rentals or debt~~  
3390 ~~service~~ as provided in subsection (3) ~~(2)~~ may be appropriated  
3391 ~~expended~~ from time to time for the purposes set forth in s. 28,  
3392 Art. X of the State Constitution to acquire land, water areas,  
3393 ~~and related resources and to construct, improve, enlarge,~~  
3394 ~~extend, operate, and maintain capital improvements and~~  
3395 ~~facilities in accordance with the plan.~~

3396 ~~(b) In addition to the uses allowed under paragraph (a),~~  
3397 ~~for the 2014-2015 fiscal year, moneys in the Land Acquisition~~  
3398 ~~Trust Fund may be transferred to support the Total Maximum Daily~~  
3399 ~~Loads Program as provided in the General Appropriations Act.~~  
3400 ~~This paragraph expires July 1, 2015.~~

3401 ~~(c) For the 2014-2015 fiscal year only, moneys in the Land~~  
3402 ~~Acquisition Trust Fund may be transferred to the Save Our~~  
3403 ~~Everglades Trust Fund to support Everglades restoration projects~~  
3404 ~~included in the final report of the Select Committee on Indian~~



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3405 ~~River Lagoon and Lake Okeechobee Basin, dated November 8, 2013,~~  
3406 ~~and to the Florida Forever Trust Fund for the Florida Forever~~  
3407 ~~program pursuant to nonoperating budget authority under s.~~  
3408 ~~216.181(12). This paragraph expires July 1, 2015.~~

3409 ~~(4) The department may disburse moneys in the Land~~  
3410 ~~Acquisition Trust Fund to pay all necessary expenses to carry~~  
3411 ~~out the purposes of this act. The department shall disburse~~  
3412 ~~moneys from the Land Acquisition Trust Fund to the Fish and~~  
3413 ~~Wildlife Conservation Commission for the purpose of funding law~~  
3414 ~~enforcement services on state lands.~~

3415 (5) Moneys accruing to other agencies for the purposes  
3416 designated in subsection (1) shall be transferred pursuant to  
3417 nonoperating budget authority under s. 216.181(12). Agencies  
3418 shall maintain the integrity of such transferred moneys. Any  
3419 transferred moneys available from reversions or reductions of  
3420 budget authority in the other agencies shall be transferred back  
3421 to the Land Acquisition Trust Fund in the Department of  
3422 Environmental Protection within 15 days after such reversion or  
3423 reduction and must be available for future appropriation  
3424 pursuant to s. 28, Art. X of the State Constitution.

3425 (6)~~(5)~~ When the Legislature has authorized the Department  
3426 of Environmental Protection to condemn a specific parcel of land  
3427 and such parcel already has been approved for acquisition  
3428 through the fund, the land may be acquired in accordance with  
3429 the provisions of chapter 73 or chapter 74, and the fund may be  
3430 used to pay the condemnation award and all costs, including a  
3431 reasonable attorney fees ~~attorney's fee~~, associated with  
3432 condemnation.

3433 Section 51. Subsection (2) of section 375.044, Florida



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3434 Statutes, is amended to read:

3435 375.044 Land Acquisition Trust Fund budget request.—

3436 (2) The legislative budget request shall be submitted to  
3437 the Executive Office of the Governor and the Legislature in  
3438 conjunction with the provisions of ss. 216.023, 216.031, and  
3439 216.043. The 10-year request shall include, but need ~~shall~~ not  
3440 be limited to:

3441 (a) A 10-year annual cash-flow analysis of the Land  
3442 Acquisition Trust Fund.

3443 ~~(b) The requested schedule of the agency for issuance of~~  
3444 ~~Save Our Coasts bonds.~~

3445 (b)(e) Forecasts of anticipated revenues to the Land  
3446 Acquisition Trust Fund.

3447 (c)(d) The estimate of the agency of Land Acquisition Trust  
3448 Fund encumbrances and commitments for each year and the  
3449 corresponding estimates of expenditures.

3450 Section 52. Section 375.045, Florida Statutes, is repealed.

3451 Section 53. Subsection (1) and paragraph (c) of subsection  
3452 (2) of section 375.075, Florida Statutes, are amended to read:

3453 375.075 Outdoor recreation; financial assistance to local  
3454 governments.—

3455 (1) The Department of Environmental Protection is  
3456 authorized to establish the Florida Recreation Development  
3457 Assistance Program to provide grants, subject to legislative  
3458 appropriation, to qualified local governmental entities to  
3459 acquire or develop land for public outdoor recreation purposes.  
3460 ~~To the extent not needed for debt service on bonds issued~~  
3461 ~~pursuant to s. 375.051, each year the department shall develop~~  
3462 ~~and plan a program which shall be based upon funding of not less~~





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3463 ~~than 5 percent of the money credited to the Land Acquisition~~  
3464 ~~Trust Fund pursuant to s. 201.15(2) and (3) in that year. The~~  
3465 department shall develop and plan a program that must ~~which~~  
3466 ~~shall be based upon the cumulative total funding appropriated by~~  
3467 ~~the Legislature for such purpose provided from this section and~~  
3468 ~~from the Florida Forever Trust Fund pursuant to s.~~  
3469 ~~259.105(3)(d).~~

3470 (2)

3471 (c) Funds may not be released under ~~No release of funds~~  
3472 ~~from the Land Acquisition Trust Fund, or from the Florida~~  
3473 ~~Forever Trust Fund beginning in fiscal year 2001-2002, for this~~  
3474 ~~program may be made~~ for these public recreation projects until  
3475 the projects have been selected through the competitive  
3476 selection process provided for in this section.

3477 Section 54. Section 376.11, Florida Statutes, is amended to  
3478 read:

3479 376.11 Florida Coastal Protection Trust Fund.—

3480 (1) The purpose of this section is to provide a mechanism  
3481 to have financial resources immediately available for prevention  
3482 of, and cleanup and rehabilitation after, a pollutant discharge,  
3483 to prevent further damage by the pollutant, and to pay for  
3484 damages. It is the legislative intent that this section be  
3485 liberally construed to effect the purposes set forth, such  
3486 interpretation being especially imperative in light of the  
3487 danger to the environment and resources.

3488 (2) The Florida Coastal Protection Trust Fund is  
3489 established, to be used by the department and the Fish and  
3490 Wildlife Conservation Commission as a nonlapsing revolving fund  
3491 ~~for carrying out the purposes of ss. 376.011-376.21.~~



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3492           (3) The following funds shall be deposited into the Florida  
3493 Coastal Protection Trust Fund: ~~To this fund shall be credited~~

3494           (a) All registration fees, penalties, judgments, damages  
3495 recovered pursuant to s. 376.121, other fees and charges related  
3496 to ss. 376.011-376.21, and the excise tax revenues levied,  
3497 collected, and credited pursuant to ss. 206.9935(1) and  
3498 206.9945(1) (a);

3499           (b) Proceeds of fines and awards of damages pursuant to s.  
3500 161.054; and

3501           (c) Funds from other sources otherwise specified by law.

3502           (4) Charges against the fund shall be in accordance with  
3503 this section.

3504           (5) ~~(3)~~ Moneys in the fund that are not needed currently to  
3505 meet the obligations of the department in the exercise of its  
3506 responsibilities under ss. 376.011-376.21 shall be deposited  
3507 with the Chief Financial Officer to the credit of the fund and  
3508 may be invested in such manner as is provided for by statute.  
3509 Interest received on such investment shall be credited to the  
3510 fund, except as otherwise specified herein.

3511           (6) ~~(4)~~ Moneys in the Florida Coastal Protection Trust Fund  
3512 may ~~shall~~ be used ~~disbursed~~ for the following purposes and ~~no~~  
3513 others:

3514           (a) To carry out the purposes of ss. 376.011-376.21.

3515           (b) ~~(a)~~ To pay administrative expenses, personnel expenses,  
3516 and equipment costs of the department and the Fish and Wildlife  
3517 Conservation Commission related to the enforcement of ss.  
3518 376.011-376.21.

3519           (c) ~~(b)~~ All costs involved in the prevention and abatement  
3520 of pollution related to the discharge of pollutants covered by



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3521 ss. 376.011-376.21 and the abatement of other potential  
3522 pollution hazards as authorized herein.

3523 (d)~~(e)~~ All costs and expenses of the cleanup, restoration,  
3524 and rehabilitation of waterfowl, wildlife, and all other natural  
3525 resources damaged by the discharge of pollutants, including the  
3526 costs of assessing and recovering damages to natural resources,  
3527 whether performed or authorized by the department or any other  
3528 state or local agency.

3529 (e)~~(d)~~ All provable costs and damages which are the  
3530 proximate results of the discharge of pollutants covered by ss.  
3531 376.011-376.21.

3532 (f)~~(e)~~ Loans to the Inland Protection Trust Fund created in  
3533 s. 376.3071.

3534 (g)~~(f)~~ The interest earned from investments of the balance  
3535 in the Florida Coastal Protection Trust Fund shall be used for  
3536 funding the administrative expenses, personnel expenses, and  
3537 equipment costs of the department relating to the enforcement of  
3538 ss. 376.011-376.21.

3539 (h)~~(g)~~ The funding of a grant program to local governments,  
3540 pursuant to s. 376.15(3)(d) and (e), for the removal of derelict  
3541 vessels from the public waters of the state.

3542 (i)~~(h)~~ The department may spend up to \$1 million per year  
3543 from the principal of the fund to acquire, design, train, and  
3544 maintain emergency cleanup response teams and equipment located  
3545 at appropriate ports throughout the state for the purpose of  
3546 cleaning oil and other toxic materials from coastal waters. When  
3547 the teams and equipment are not needed for these purposes they  
3548 may be used for any other valid purpose of the department.

3549 (j)~~(i)~~ To provide a temporary transfer of funds in an



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3550 amount not to exceed \$10 million to the Minerals Trust Fund as  
3551 set forth in s. 376.40.

3552 (k)~~(j)~~ Funding for marine law enforcement.

3553 (7)~~(5)~~ Any interest in lands acquired using moneys in the  
3554 Florida Coastal Protection Trust Fund shall be held by the  
3555 Trustees of the Internal Improvement Trust Fund, and such lands  
3556 shall be acquired pursuant to the procedures set forth in s.  
3557 253.025.

3558 (8)~~(6)~~ The department shall recover to the use of the fund  
3559 from the person or persons causing the discharge or from the  
3560 Federal Government, jointly and severally, all sums owed or  
3561 expended from the fund, pursuant to s. 376.123(10), except that  
3562 recoveries resulting from damage due to a discharge of a  
3563 pollutant or other similar disaster shall be apportioned between  
3564 the Florida Coastal Protection Trust Fund and the General  
3565 Revenue Fund so as to repay the full costs to the General  
3566 Revenue Fund of any sums disbursed therefrom as a result of such  
3567 disaster. Requests for reimbursement to the fund for the above  
3568 costs, if not paid within 30 days of demand, shall be turned  
3569 over to the Department of Legal Affairs for collection.

3570 Section 55. Subsection (8) of section 376.123, Florida  
3571 Statutes, is amended to read:

3572 376.123 Claims against the Florida Coastal Protection Trust  
3573 Fund.—

3574 (8) If a person chooses to make a claim against the fund  
3575 and accepts payment from, or a judgment against, the fund, then  
3576 the department shall be subrogated to any cause of action that  
3577 the claimant may have had, to the extent of such payment or  
3578 judgment, and shall diligently pursue recovery on that cause of



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3579 action pursuant to subsection (10) and s. 376.11(8) ~~s.~~  
3580 ~~376.11(6)~~. In any such action, the amount of damages shall be  
3581 proved by the department by submitting to the court a written  
3582 report of the amounts paid or owed from the fund to claimants.  
3583 Such written report shall be admissible as evidence, and the  
3584 amounts paid from or owed by the fund to the claimants stated  
3585 therein shall be irrebuttably presumed to be the amount of  
3586 damages.

3587 Section 56. Paragraphs (g) through (l) are added to  
3588 subsection (1) of section 376.307, Florida Statutes, subsection  
3589 (4) of that section is amended, and subsection (8) is added to  
3590 that section, to read:

3591 376.307 Water Quality Assurance Trust Fund.—

3592 (1) The Water Quality Assurance Trust Fund is intended to  
3593 serve as a broad-based fund for use in responding to incidents  
3594 of contamination that pose a serious danger to the quality of  
3595 groundwater and surface water resources or otherwise pose a  
3596 serious danger to the public health, safety, or welfare. Moneys  
3597 in this fund may be used:

3598 (g) For detailed planning for and implementation of  
3599 programs for the management and restoration of ecosystems.

3600 (h) For development and implementation of surface water  
3601 improvement and management plans and programs under ss. 373.451-  
3602 373.4595.

3603 (i) For activities to restore polluted areas of the state,  
3604 as defined by the department, to their condition before  
3605 pollution occurred or to otherwise enhance pollution control  
3606 activities.

3607 (j) For activities undertaken by the department to recover



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3608 moneys as a result of actions against a person for a violation  
3609 of chapter 373.

3610 (k) For funding activities described in s. 403.086(9) which  
3611 are authorized for implementation under the Leah Schad Memorial  
3612 Ocean Outfall Program.

3613 (l) For funding activities to restore or rehabilitate  
3614 injured or destroyed coral reefs.

3615 (4) The trust fund shall be funded as follows:

3616 (a) An annual transfer of interest funds from the Florida  
3617 Coastal Protection Trust Fund pursuant to s. 376.11(6)(g) ~~s.~~  
3618 ~~376.11(4)(f)~~.

3619 (b) All excise taxes levied, collected, and credited to the  
3620 Water Quality Assurance Trust Fund in accordance with the  
3621 provisions of ss. 206.9935(2) and 206.9945(1)(b).

3622 (c) All penalties, judgments, recoveries, reimbursements,  
3623 and other fees and charges related to the enforcement of ss.  
3624 376.30-376.317, other than penalties, judgments, and other fees  
3625 and charges related to the enforcement of ss. 376.3071 and  
3626 376.3073.

3627 (d) The fee on the retail sale of lead-acid batteries  
3628 credited to the Water Quality Assurance Trust Fund under s.  
3629 403.7185.

3630 (e) All penalties, judgments, recoveries, reimbursements,  
3631 loans, and other fees and charges collected under s. 376.3078;  
3632 tax revenues levied, collected, and credited under ss. 376.70  
3633 and 376.75; and registration fees collected under s.  
3634 376.303(1)(d).

3635 (f) All civil penalties recovered pursuant to s.  
3636 373.129(5)(a).



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3637 (g) Funds appropriated by the Legislature for the purposes  
3638 of ss. 373.451-373.4595.

3639 (h) Moneys collected pursuant to s. 403.121 and designated  
3640 for deposit into the Water Quality Assurance Trust Fund.

3641 (i) Moneys recovered by the state as a result of actions  
3642 initiated by the department against a person for a violation of  
3643 chapter 373 or chapter 403.

3644 (j) Damages recovered pursuant to s. 403.93345 for coral  
3645 reef protection.

3646 (k) Funds available for the Leah Schad Memorial Ocean  
3647 Outfall Program pursuant to s. 403.08601.

3648 (l) Funds received by the state for injury to or  
3649 destruction of coral reefs, which funds would otherwise be  
3650 deposited into the General Revenue Fund or the Internal  
3651 Improvement Trust Fund. The department may enter into settlement  
3652 agreements that require responsible parties to pay a third party  
3653 to fund projects related to the restoration of a coral reef, to  
3654 accomplish mitigation for injury to a coral reef, or to support  
3655 the activities of law enforcement agencies related to coral reef  
3656 injury response, investigation, and assessment. Participation of  
3657 a law enforcement agency in the receipt of funds through this  
3658 mechanism shall be at the law enforcement agency's discretion.

3659 (m) Moneys from sources otherwise specified by law.

3660 (8) A settlement entered into by the department may not  
3661 limit the Legislature's authority to appropriate moneys from the  
3662 trust fund; however, the department may enter into a settlement  
3663 in which the department agrees to request that moneys received  
3664 pursuant to the settlement will be included in its legislative  
3665 budget request for purposes set out in the settlement; and



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3666 further, the department may enter into a settlement in cases  
3667 involving joint enforcement with the Hillsborough County  
3668 pollution control program, as a program approved by the  
3669 department pursuant to s. 403.182, in which the department  
3670 agrees that moneys are to be deposited into that local program's  
3671 pollution recovery fund and used for projects directed toward  
3672 addressing the environmental damage that was the subject of the  
3673 cause of action for which funds were received.

3674 Section 57. Subsection (4) of section 376.40, Florida  
3675 Statutes, is amended to read:

3676 376.40 Petroleum exploration and production; purposes;  
3677 funding.—

3678 (4) FUNDING.—There shall be deposited in the Minerals Trust  
3679 Fund:

3680 (a) All fees charged permittees under ss. 377.24(1),  
3681 377.2408(1), and 377.2425(1) (b).

3682 (b) All penalties, judgments, recoveries, reimbursements,  
3683 and other fees and charges related to the implementation of this  
3684 section.

3685 (c) Any other funds required to be deposited in the trust  
3686 fund under provisions of law.

3687  
3688 If moneys on deposit in the trust fund are not sufficient to  
3689 satisfy the needed remedial or corrective action, and if the  
3690 responsible party does not take remedial and corrective action  
3691 in a timely manner or if a catastrophic event occurs, a  
3692 temporary transfer of the required amount, or a maximum of \$10  
3693 million, from the Florida Coastal Protection Trust Fund pursuant  
3694 to s. 376.11(6)(j) ~~s. 376.11(4)(i)~~ is authorized. The Florida





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3695 Coastal Protection Trust Fund shall be reimbursed immediately  
3696 upon deposit into the Minerals Trust Fund of moneys referred to  
3697 in paragraph (b).

3698 Section 58. Section 379.202, Florida Statutes, is repealed.

3699 Section 59. Subsection (2) of section 379.206, Florida  
3700 Statutes, is amended, and subsection (3) is added to that  
3701 section to read:

3702 379.206 Grants and Donations Trust Fund.—

3703 (2) The fund is established for use as a depository for  
3704 funds to be used for allowable grant and donor agreement  
3705 activities funded by restricted contractual revenue. Moneys to  
3706 be credited to the trust fund shall consist of grants and  
3707 donations from private and public nonfederal sources,  
3708 development-of-regional-impact wildlife mitigation  
3709 contributions, interest earnings, and cash advances from other  
3710 trust funds.

3711 (3) If acquisition pursuant to this section will result in  
3712 state ownership of land, title shall be vested in the Board of  
3713 Trustees of the Internal Improvement Trust Fund as required in  
3714 chapter 253. Land acquisition pursuant to this section shall be  
3715 voluntary, negotiated acquisition and, if title is to be vested  
3716 in the Board of Trustees of the Internal Improvement Trust Fund,  
3717 is subject to the acquisition procedures of s. 253.025.

3718 Section 60. Section 379.212, Florida Statutes, is amended  
3719 to read:

3720 379.212 Land Acquisition Trust Fund.—

3721 (1) (a) There is established within the Fish and Wildlife  
3722 Conservation Commission the Land Acquisition Trust Fund to  
3723 implement s. 28, Art. X of the State Constitution ~~for the~~



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3724 ~~purpose of acquiring, assisting other agencies or local~~  
3725 ~~governments in acquiring, or managing lands important to the~~  
3726 ~~conservation of fish and wildlife.~~

3727 (b) The Fish and Wildlife Conservation Commission or its  
3728 designee shall manage such lands for the primary purpose of  
3729 maintaining and enhancing their habitat value for fish and  
3730 wildlife. Other uses may be allowed that are not contrary to  
3731 this purpose.

3732 (c) Where acquisition pursuant to this section will result  
3733 in state ownership of land, title shall be vested in the Board  
3734 of Trustees of the Internal Improvement Trust Fund as required  
3735 in chapter 253. Land acquisition pursuant to this section shall  
3736 be voluntary, negotiated acquisition and, where title is to be  
3737 vested in the Board of Trustees of the Internal Improvement  
3738 Trust Fund, is subject to the acquisition procedures of s.  
3739 253.025.

3740 (d) Acquisition costs shall include purchase prices and  
3741 costs and fees associated with title work, surveys, and  
3742 appraisals required to complete an acquisition.

3743 (2) The fund may be credited with funds transferred from  
3744 the Land Acquisition Trust Fund within the Department of  
3745 Environmental Protection as provided in s. 375.041 ~~Moneys which~~  
3746 ~~may be deposited into the Land Acquisition Trust Fund for the~~  
3747 ~~purposes of this section may include, but not be limited to,~~  
3748 ~~donations, grants, development of regional impact wildlife~~  
3749 ~~mitigation contributions, or legislative appropriations.~~  
3750 ~~Preservation 2000 acquisition moneys and Conservation and~~  
3751 ~~Recreation Lands management moneys shall not be deposited into~~  
3752 ~~this fund.~~



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3753           (3) The Fish and Wildlife Conservation Commission shall  
3754 maintain the integrity of such moneys transferred from the  
3755 Department of Environmental Protection. Any transferred moneys  
3756 available from reversions and reductions in budget authority  
3757 shall be transferred back to the Land Acquisition Trust Fund in  
3758 the Department of Environmental Protection within 15 days after  
3759 such reversion or reduction and must be available for future  
3760 appropriation pursuant to s. 28, Art. X of the State  
3761 Constitution.

3762           Section 61. (1) All undisbursed, unobligated balances and  
3763 all certified forward appropriations remaining in the Land  
3764 Acquisition Trust Fund within the Fish and Wildlife Conservation  
3765 Commission on June 30, 2015, shall be transferred to the Grants  
3766 and Donations Trust Fund, FLAIR number 77-2-339, within the Fish  
3767 and Wildlife Conservation Commission.

3768           (2) This section shall take effect upon this act becoming a  
3769 law or on June 29, 2015, whichever occurs earlier.

3770           Section 62. Subsection (2) of section 379.214, Florida  
3771 Statutes, is amended to read:

3772           379.214 Invasive Plant Control Trust Fund.—

3773           (2) Funds to be credited to and uses of the trust fund  
3774 shall be administered in accordance with the provisions of ss.  
3775 ~~201.15,~~ 206.606, 328.76, 369.20, 369.22, 369.252, and 379.502.

3776           Section 63. Subsection (12) of section 380.0666, Florida  
3777 Statutes, is amended to read:

3778           380.0666 Powers of land authority.—The land authority shall  
3779 have all the powers necessary or convenient to carry out and  
3780 effectuate the purposes and provisions of this act, including  
3781 the following powers, which are in addition to all other powers



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3782 granted by other provisions of this act:

3783 (12) To identify parcels of land within the area or areas  
3784 of critical state concern that would be appropriate acquisitions  
3785 by the state ~~from the Conservation and Recreational Lands Trust~~  
3786 ~~Fund~~ and recommend such acquisitions to the advisory council  
3787 established pursuant to s. 259.035 or its successor.

3788 Section 64. Section 380.0677, Florida Statutes, is  
3789 repealed.

3790 Section 65. Subsection (11) of section 380.507, Florida  
3791 Statutes, is amended to read:

3792 380.507 Powers of the trust.—The trust shall have all the  
3793 powers necessary or convenient to carry out the purposes and  
3794 provisions of this part, including:

3795 (11) To make rules necessary to carry out the purposes of  
3796 this part and to exercise any power granted in this part,  
3797 pursuant to ~~the provisions of~~ chapter 120. The trust shall adopt  
3798 rules governing the acquisition of lands with using proceeds  
3799 ~~from the Preservation 2000 Trust Fund and the Florida Forever~~  
3800 ~~Trust Fund~~, consistent with the intent expressed in the Florida  
3801 Forever Act. Such rules for land acquisition must include, but  
3802 are not limited to, procedures for appraisals and  
3803 confidentiality consistent with ss. 125.355(1)(a) and (b) and  
3804 166.045(1)(a) and (b), a method of determining a maximum  
3805 purchase price, and procedures to assure that the land is  
3806 acquired in a voluntarily negotiated transaction, surveyed,  
3807 conveyed with marketable title, and examined for hazardous  
3808 materials contamination. Land acquisition procedures of a local  
3809 land authority created pursuant to s. 380.0663 ~~or s. 380.0677~~  
3810 may be used for the land acquisition programs described in



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3811 former s. ~~by ss.~~ 259.101(3)(c), Florida Statutes 2014, and in s.  
3812 259.105 if within areas of critical state concern designated  
3813 pursuant to s. 380.05, subject to approval of the trust.

3814 Section 66. Subsection (4) of section 380.508, Florida  
3815 Statutes, is amended to read:

3816 380.508 Projects; development, review, and approval.-

3817 (4) Projects or activities which the trust undertakes,  
3818 coordinates, or funds in any manner shall comply with the  
3819 following guidelines:

3820 (a) The purpose of redevelopment projects shall be to  
3821 restore areas which are adversely affected by scattered  
3822 ownership, poor lot layout, inadequate park and open space,  
3823 incompatible land uses, or other conditions which endanger the  
3824 environment or impede orderly development. Grants and loans  
3825 awarded for redevelopment projects shall be used for assembling  
3826 parcels of land within redevelopment project areas for the  
3827 redesign of such areas and for the installation of public  
3828 improvements required to serve such areas. After redesign and  
3829 installation of public improvements, if any, lands in  
3830 redevelopment projects, with the exception of lands acquired for  
3831 public purposes, shall be conveyed to any person for development  
3832 in accordance with a redevelopment project plan approved  
3833 according to this part.

3834 (b) The purpose of resource enhancement projects shall be  
3835 to enhance natural resources which, because of indiscriminate  
3836 dredging or filling, improper location of improvements, natural  
3837 or human-induced events, or incompatible land uses, have  
3838 suffered loss of natural and scenic values. Grants and loans  
3839 awarded for resource enhancement projects shall be used for the



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3840 assembly of parcels of land to improve resource management, for  
3841 relocation of improperly located or designed improvements, and  
3842 for other corrective measures which will enhance the natural and  
3843 scenic character of project areas.

3844 (c) The purpose of public access projects shall be to  
3845 acquire interests in and initially develop lands which are  
3846 suitable for and which will be used for public accessways to  
3847 surface waters. The trust shall identify local governments and  
3848 nonprofit organizations which will accept responsibility for  
3849 maintenance and liability for public accessways which are  
3850 located outside the state park system. The trust may lease any  
3851 public access site developed under this part to a local  
3852 government or nonprofit organization, provided that the  
3853 conditions of the lease guarantee public use of the site. The  
3854 trust may accept, from any local government or nonprofit  
3855 organization, fees collected for providing public access to  
3856 surface waters. The trust shall expend any such funds it accepts  
3857 only for acquisition, development, and maintenance of such  
3858 public accessways. To the maximum extent possible, the trust  
3859 shall expend such fees in the general area where they are  
3860 collected or in areas where public access to surface waters is  
3861 clearly deficient. The trust may transfer funds, including such  
3862 fees, to a local government or nonprofit organization to acquire  
3863 public access sites. In developing or coordinating public access  
3864 projects, the trust shall ensure that project plans involving  
3865 beach access are consistent with state laws governing beach  
3866 access.

3867 (d) The purpose of urban waterfront restoration projects  
3868 shall be to restore deteriorated or deteriorating urban



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3869 waterfronts for public use and enjoyment. Urban waterfront  
3870 restoration projects shall include public access sites.

3871 (e) The purpose of working waterfront projects shall be to  
3872 restore and preserve working waterfronts as provided in s.  
3873 380.5105.

3874 (f) The trust shall cooperate with local governments, state  
3875 agencies, federal agencies, and nonprofit organizations in  
3876 ensuring the reservation of lands for parks, recreation, fish  
3877 and wildlife habitat, historical preservation, or scientific  
3878 study. If ~~In the event that~~ any local government, state agency,  
3879 federal agency, or nonprofit organization is unable, due to  
3880 limited financial resources or other circumstances of a  
3881 temporary nature, to acquire a site for the purposes described  
3882 in this paragraph, the trust may acquire and hold the site for  
3883 subsequent conveyance to the appropriate governmental agency or  
3884 nonprofit organization. The trust may provide such technical  
3885 assistance as ~~is~~ required to aid local governments, state and  
3886 federal agencies, and nonprofit organizations in completing  
3887 acquisition and related functions. The trust may ~~shall~~ not  
3888 reserve lands acquired in accordance with this paragraph for  
3889 more than 5 years from the time of acquisition. A local  
3890 government, federal or state agency, or nonprofit organization  
3891 may acquire the land at any time during this period for public  
3892 purposes. The purchase price shall be based upon the trust's  
3893 cost of acquisition, plus administrative and management costs in  
3894 reserving the land. The payment of the ~~this~~ purchase price shall  
3895 be by money, trust-approved property of an equivalent value, or  
3896 a combination of money and trust-approved property. If, after  
3897 the 5-year period, the trust has not sold to a governmental



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3898 agency or nonprofit organization land acquired for site  
3899 reservation, the trust shall dispose of such land at fair market  
3900 value or shall trade it for other land of comparable value which  
3901 will serve to accomplish the purposes of this part. Any proceeds  
3902 from the sale of such land received by the department shall be  
3903 deposited into ~~in~~ the appropriate ~~Florida Communities~~ trust fund  
3904 pursuant to s. 253.034(6)(k), (l), or (m).

3905  
3906 Project costs may include costs of providing parks, open space,  
3907 public access sites, scenic easements, and other areas and  
3908 facilities serving the public where such features are part of a  
3909 project plan approved according to this part. In undertaking or  
3910 coordinating projects or activities authorized by this part, the  
3911 trust shall, when appropriate, use and promote the use of  
3912 creative land acquisition methods, including the acquisition of  
3913 less than fee interest through, among other methods,  
3914 conservation easements, transfer of development rights, leases,  
3915 and leaseback arrangements. The trust ~~also~~ shall assist local  
3916 governments in the use of sound alternative methods of financing  
3917 for funding projects and activities authorized under ~~by~~ this  
3918 part. Any funds over and above eligible project costs, which  
3919 remain after completion of a project approved according to this  
3920 part, shall be transmitted to the state and deposited into ~~in~~  
3921 the Florida Forever ~~Florida Communities~~ Trust Fund.

3922 Section 67. Paragraph (f) of subsection (3) and subsections  
3923 (5) and (7) of section 380.510, Florida Statutes, are amended to  
3924 read:

3925 380.510 Conditions of grants and loans.—

3926 (3) In the case of a grant or loan for land acquisition,





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3927 agreements shall provide all of the following:

3928 ~~(f) The term of any grant using funds received from the~~  
3929 ~~Preservation 2000 Trust Fund, pursuant to s. 259.101(3)(c),~~  
3930 ~~shall be for a period not to exceed 24 months. The governing~~  
3931 ~~board of the trust may offer a grant with a shorter term and may~~  
3932 ~~extend a grant beyond 24 months when the grant recipient~~  
3933 ~~demonstrates that significant progress is being made toward~~  
3934 ~~closing the project or that extenuating circumstances warrant an~~  
3935 ~~extension of time. If a local government project which was~~  
3936 ~~awarded a grant is not closed within 24 months and the governing~~  
3937 ~~board of the trust does not grant an extension, the grant~~  
3938 ~~reverts to the trust's unencumbered balance of Preservation 2000~~  
3939 ~~funds to be redistributed to other eligible projects. The local~~  
3940 ~~government may reapply for a grant to fund the project in the~~  
3941 ~~trust's next application cycle.~~

3942  
3943 Any deed or other instrument of conveyance whereby a nonprofit  
3944 organization or local government acquires real property under  
3945 this section shall set forth the interest of the state. The  
3946 trust shall keep at least one copy of any such instrument and  
3947 shall provide at least one copy to the Board of Trustees of the  
3948 Internal Improvement Trust Fund.

3949 (5) Any funds the trust collects from a nonprofit  
3950 organization or local government under a grant or loan agreement  
3951 shall be deposited into in the Internal Improvement Florida  
3952 Communities Trust Fund within the Department of Environmental  
3953 Protection.

3954 (7) Any funds received by the trust ~~from the Preservation~~  
3955 ~~2000 Trust Fund~~ pursuant to s. 259.105(3)(c) or s. 375.041 s.



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3956 ~~259.101(3)(c) and the Florida Forever Trust Fund pursuant to s.~~  
3957 ~~259.105(3)(c)~~ shall be held separate and apart from any other  
3958 funds held by the trust and ~~shall be~~ used for the land  
3959 acquisition purposes of this part. ~~In addition to the other~~  
3960 ~~conditions set forth in this section, the disbursement of~~  
3961 ~~Preservation 2000 and Florida Forever funds from the trust shall~~  
3962 ~~be subject to the following conditions:~~

3963 (a) The administration and use of Florida Forever ~~any~~ funds  
3964 ~~are received by the trust from the Preservation 2000 Trust Fund~~  
3965 ~~and the Florida Forever Trust Fund shall be~~ subject to such  
3966 terms and conditions imposed thereon by the agency of the state  
3967 responsible for the bonds, the proceeds of which are deposited  
3968 into ~~in~~ the Preservation 2000 Trust Fund and the Florida Forever  
3969 Trust Fund, including restrictions imposed to ensure that the  
3970 interest on any such bonds issued by the state as tax-exempt  
3971 bonds is ~~will~~ not be included in the gross income of the holders  
3972 of such bonds for federal income tax purposes.

3973 (b) All deeds or leases with respect to any real property  
3974 acquired with funds received by the trust from the Preservation  
3975 2000 Trust Fund, the Florida Forever Trust Fund, or the Land  
3976 Acquisition Trust Fund ~~must~~ ~~shall~~ contain such covenants and  
3977 restrictions as are sufficient to ensure that the use of such  
3978 real property at all times complies with s. 375.051 and s. 9,  
3979 Art. XII of the State Constitution. Each deed ~~All deeds~~ or lease  
3980 ~~leases~~ with respect to any real property acquired with funds  
3981 received by the trust from the Florida Forever Trust Fund before  
3982 July 1, 2015, must ~~shall~~ contain ~~such~~ covenants and restrictions  
3983 ~~as are~~ sufficient to ensure that the use of such real property  
3984 at all times complies with s. 11(e), Art. VII of the State



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3985 Constitution. Each deed or lease with respect to any real  
3986 property acquired with funds received by the trust from the  
3987 Florida Forever Trust Fund after July 1, 2015, must contain  
3988 covenants and restrictions sufficient to ensure that the use of  
3989 such real property at all times complies with s. 28, Art. X of  
3990 the State Constitution. Each deed or lease must ~~shall~~ contain a  
3991 reversion, conveyance, or termination clause that vests ~~will~~  
3992 ~~vest~~ title in the Board of Trustees of the Internal Improvement  
3993 Trust Fund if any of the covenants or restrictions are violated  
3994 by the titleholder or leaseholder or by some third party with  
3995 the knowledge of the titleholder or leaseholder.

3996 Section 68. Section 380.511, Florida Statutes, is repealed.

3997 Section 69. Subsection (2) of section 403.0615, Florida  
3998 Statutes, is amended to read:

3999 403.0615 Water resources restoration and preservation.—

4000 (2) Subject to specific legislative appropriation, the  
4001 department shall establish a program to assist in the  
4002 restoration and preservation of bodies of water and to enhance  
4003 existing public access when deemed necessary for the enhancement  
4004 of the restoration effort. ~~This program shall be funded from the~~  
4005 ~~General Revenue Fund, from funds available from the Ecosystem~~  
4006 ~~Management and Restoration Trust Fund, and from available~~  
4007 ~~federal moneys.~~

4008 Section 70. Section 403.08601, Florida Statutes, is amended  
4009 to read:

4010 403.08601 Leah Schad Memorial Ocean Outfall Program.—The  
4011 Legislature declares that as funds become available the state  
4012 may assist the local governments and agencies responsible for  
4013 implementing the Leah Schad Memorial Ocean Outfall Program



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4014 pursuant to s. 403.086(9). Funds received from other sources  
4015 provided for in law, the General Appropriations Act, from gifts  
4016 designated for implementation of the plan from individuals,  
4017 corporations, or other entities, or federal funds appropriated  
4018 by Congress for implementation of the plan, may be deposited  
4019 into an account of the Water Quality Assurance Ecosystem  
4020 ~~Management and Restoration Trust Fund created pursuant to s.~~  
4021 ~~403.1651.~~

4022 Section 71. Subsection (11) of section 403.121, Florida  
4023 Statutes, is amended to read:

4024 403.121 Enforcement; procedure; remedies.—The department  
4025 shall have the following judicial and administrative remedies  
4026 available to it for violations of this chapter, as specified in  
4027 s. 403.161(1).

4028 (11) Penalties collected pursuant to this section shall be  
4029 deposited into ~~in~~ the Water Quality Assurance Ecosystem  
4030 ~~Management and Restoration Trust Fund~~ or other trust fund  
4031 designated by statute and shall be used to fund the restoration  
4032 of ecosystems, or polluted areas of the state, as defined by the  
4033 department, to their condition before pollution occurred. The  
4034 Florida Conflict Resolution Consortium may use a portion of the  
4035 fund to administer the mediation process provided in paragraph  
4036 (2) (e) and to contract with private mediators for administrative  
4037 penalty cases.

4038 Section 72. Section 403.1651, Florida Statutes, is  
4039 repealed.

4040 Section 73. Subsection (1) of section 403.885, Florida  
4041 Statutes, is amended to read:

4042 403.885 Water Projects Grant Program.—



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4043 (1) The Department of Environmental Protection shall  
4044 administer a grant program to use funds ~~transferred pursuant to~~  
4045 ~~s. 212.20 to the Ecosystem Management and Restoration Trust Fund~~  
4046 ~~or other moneys as~~ appropriated by the Legislature for water  
4047 quality improvement, stormwater management, wastewater  
4048 management, and water restoration and other water projects as  
4049 specifically appropriated by the Legislature. Eligible  
4050 recipients of such grants include counties, municipalities,  
4051 water management districts, and special districts that have  
4052 legal responsibilities for water quality improvement, water  
4053 management, stormwater management, wastewater management, lake  
4054 and river water restoration projects, and drinking water  
4055 projects pursuant to this section.

4056 Section 74. Section 403.8911, Florida Statutes, is  
4057 repealed.

4058 Section 75. Subsection (6) of section 403.9325, Florida  
4059 Statutes, is amended to read:

4060 403.9325 Definitions.—For the purposes of ss. 403.9321-  
4061 403.9333, the term:

4062 (6) "Public lands that have been set aside for conservation  
4063 or preservation" means:

4064 (a) Lands and interests acquired with funds deposited into  
4065 the Land Acquisition Trust Fund pursuant to s. 28(a), Art. X of  
4066 the State Constitution;

4067 (b) ~~(a)~~ Conservation and recreation lands under chapter 259;

4068 (c) ~~(b)~~ State and national parks;

4069 (d) ~~(c)~~ State and national reserves and preserves, except as  
4070 provided in s. 403.9326(3);

4071 (e) ~~(d)~~ State and national wilderness areas;



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4072            (f) ~~(e)~~ National wildlife refuges (only those lands under  
4073 Federal Government ownership);  
4074            (g) ~~(f)~~ Lands acquired under the ~~through the Water~~  
4075 ~~Management Lands Trust Fund~~, Save Our Rivers Program;  
4076            (h) ~~(g)~~ Lands acquired under the Save Our Coast program;  
4077            (i) ~~(h)~~ Lands acquired under the environmentally endangered  
4078 lands bond program;  
4079            (j) ~~(i)~~ Public lands designated as conservation or  
4080 preservation under a local government comprehensive plan;  
4081            (k) ~~(j)~~ Lands purchased by a water management district, the  
4082 Fish and Wildlife Conservation Commission, or any other state  
4083 agency for conservation or preservation purposes;  
4084            (l) ~~(k)~~ Public lands encumbered by a conservation easement  
4085 that does not provide for the trimming of mangroves; and  
4086            (m) ~~(l)~~ Public lands designated as critical wildlife areas  
4087 by the Fish and Wildlife Conservation Commission.  
4088            Section 76. Paragraph (f) of subsection (3) and subsection  
4089 (11) of section 403.93345, Florida Statutes, are amended to  
4090 read:  
4091            403.93345 Coral reef protection.—  
4092            (3) As used in this section, the term:  
4093            (f) "Fund" means the Water Quality Assurance Ecosystem  
4094 ~~Management and Restoration~~ Trust Fund.  
4095            (11) All damages recovered by or on behalf of this state  
4096 for injury to, or destruction of, the coral reefs of the state  
4097 that would otherwise be deposited in the general revenue  
4098 accounts of the State Treasury or in the Internal Improvement  
4099 Trust Fund shall be deposited into ~~in~~ the Water Quality  
4100 Assurance Ecosystem Management and Restoration Trust Fund in the



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4101 department and shall remain in such account until expended by  
4102 the department for the purposes of this section. Moneys in the  
4103 fund received from damages recovered for injury to, or  
4104 destruction of, coral reefs must be expended only for the  
4105 following purposes:

4106 (a) To provide funds to the department for reasonable costs  
4107 incurred in obtaining payment of the damages for injury to, or  
4108 destruction of, coral reefs, including administrative costs and  
4109 costs of experts and consultants. Such funds may be provided in  
4110 advance of recovery of damages.

4111 (b) To pay for restoration or rehabilitation of the injured  
4112 or destroyed coral reefs or other natural resources by a state  
4113 agency or through a contract to any qualified person.

4114 (c) To pay for alternative projects selected by the  
4115 department. Any such project shall be selected on the basis of  
4116 its anticipated benefits to the residents of this state who used  
4117 the injured or destroyed coral reefs or other natural resources  
4118 or will benefit from the alternative project.

4119 (d) All claims for trust fund reimbursements under  
4120 paragraph (a) must be made within 90 days after payment of  
4121 damages is made to the state.

4122 (e) Each private recipient of fund disbursements shall be  
4123 required to agree in advance that its accounts and records of  
4124 expenditures of such moneys are subject to audit at any time by  
4125 appropriate state officials and to submit a final written report  
4126 describing such expenditures within 90 days after the funds have  
4127 been expended.

4128 (f) When payments are made to a state agency from the fund  
4129 for expenses compensable under this subsection, such



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4130 expenditures shall be considered as being for extraordinary  
4131 expenses, and no agency appropriation shall be reduced by any  
4132 amount as a result of such reimbursement.

4133 Section 77. Subsections (5) and (6) of section 420.5092,  
4134 Florida Statutes, are amended to read:

4135 420.5092 Florida Affordable Housing Guarantee Program.—

4136 (5) Pursuant to s. 16, Art. VII of the State Constitution,  
4137 the corporation may issue, in accordance with s. 420.509,  
4138 revenue bonds of the corporation to establish the guarantee  
4139 fund. The ~~Such~~ revenue bonds are ~~shall be~~ primarily payable from  
4140 and secured by annual debt service reserves, from interest  
4141 earned on funds on deposit in the guarantee fund, from fees,  
4142 charges, and reimbursements established by the corporation for  
4143 the issuance of affordable housing guarantees, and from any  
4144 other revenue sources received by the corporation and deposited  
4145 by the corporation into the guarantee fund for the issuance of  
4146 affordable housing guarantees. If ~~To the extent~~ such primary  
4147 revenue sources are considered insufficient by the corporation,  
4148 pursuant to the certification provided in subsection (6), to  
4149 fully fund the annual debt service reserve, the certified  
4150 deficiency in such reserve is also ~~shall be~~ additionally payable  
4151 from the first proceeds of the documentary stamp tax moneys  
4152 deposited into the State Housing Trust Fund pursuant to s.  
4153 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and (10)(a)~~ during the  
4154 ensuing state fiscal year.

4155 (6) (a) If the primary revenue sources to be used for  
4156 repayment of revenue bonds used to establish the guarantee fund  
4157 are insufficient for such repayment, the annual principal and  
4158 interest due on each series of revenue bonds are ~~shall be~~





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4159 payable from funds in the annual debt service reserve. The  
4160 corporation shall, before June 1 of each year, perform a  
4161 financial audit to determine whether at the end of the state  
4162 fiscal year there will be on deposit in the guarantee fund an  
4163 annual debt service reserve from interest earned pursuant to the  
4164 investment of the guarantee fund, fees, charges, and  
4165 reimbursements received from issued affordable housing  
4166 guarantees and other revenue sources available to the  
4167 corporation. Based upon the findings in such guarantee fund  
4168 financial audit, the corporation shall certify to the Chief  
4169 Financial Officer the amount of any projected deficiency in the  
4170 annual debt service reserve for any series of outstanding bonds  
4171 as of the end of the state fiscal year and the amount necessary  
4172 to maintain such annual debt service reserve. Upon receipt of  
4173 such certification, the Chief Financial Officer shall transfer  
4174 to the annual debt service reserve, from the first available  
4175 taxes distributed to the State Housing Trust Fund pursuant to s.  
4176 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and (10)(a)~~ during the  
4177 ensuing state fiscal year, the amount certified as necessary to  
4178 maintain the annual debt service reserve.

4179 (b) If the claims payment obligations under affordable  
4180 housing guarantees from amounts on deposit in the guarantee fund  
4181 would cause the claims paying rating assigned to the guarantee  
4182 fund to be less than the third-highest rating classification of  
4183 any nationally recognized rating service, which classifications  
4184 being consistent with s. 215.84(3) and rules adopted thereto by  
4185 the State Board of Administration, the corporation shall certify  
4186 to the Chief Financial Officer the amount of such claims payment  
4187 obligations. Upon receipt of such certification, the Chief



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4188 Financial Officer shall transfer to the guarantee fund, from the  
4189 first available taxes distributed to the State Housing Trust  
4190 Fund pursuant to s. 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and~~  
4191 ~~(10)(a)~~ during the ensuing state fiscal year, the amount  
4192 certified as necessary to meet such obligations, such transfer  
4193 to be subordinate to any transfer referenced in paragraph (a)  
4194 and not to exceed 50 percent of the amounts distributed to the  
4195 State Housing Trust Fund pursuant to s. 201.15(4)(c) and (d) ~~s.~~  
4196 ~~201.15(9)(a) and (10)(a)~~ during the preceding state fiscal year.

4197 Section 78. Subsections (1), (2), and (3) of section  
4198 420.9073, Florida Statutes, are amended to read:

4199 420.9073 Local housing distributions.-

4200 (1) Distributions calculated in this section shall be  
4201 disbursed on a quarterly or more frequent basis by the  
4202 corporation pursuant to s. 420.9072, subject to availability of  
4203 funds. Each county's share of the funds to be distributed from  
4204 the portion of the funds in the Local Government Housing Trust  
4205 Fund received pursuant to s. 201.15(4)(c) ~~s. 201.15(9)~~ shall be  
4206 calculated by the corporation for each fiscal year as follows:

4207 (a) Each county other than a county that has implemented  
4208 ~~the provisions of~~ chapter 83-220, Laws of Florida, as amended by  
4209 chapters 84-270, 86-152, and 89-252, Laws of Florida, shall  
4210 receive the guaranteed amount for each fiscal year.

4211 (b) Each county other than a county that has implemented  
4212 ~~the provisions of~~ chapter 83-220, Laws of Florida, as amended by  
4213 chapters 84-270, 86-152, and 89-252, Laws of Florida, may  
4214 receive an additional share calculated as follows:

4215 1. Multiply each county's percentage of the total state  
4216 population excluding the population of any county that has



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4217 implemented ~~the provisions of~~ chapter 83-220, Laws of Florida,  
4218 as amended by chapters 84-270, 86-152, and 89-252, Laws of  
4219 Florida, by the total funds to be distributed.

4220 2. If the result in subparagraph 1. is less than the  
4221 guaranteed amount as determined in subsection (3), that county's  
4222 additional share shall be zero.

4223 3. For each county in which the result in subparagraph 1.  
4224 is greater than the guaranteed amount as determined in  
4225 subsection (3), the amount calculated in subparagraph 1. shall  
4226 be reduced by the guaranteed amount. The result for each such  
4227 county shall be expressed as a percentage of the amounts so  
4228 determined for all counties. Each such county shall receive an  
4229 additional share equal to such percentage multiplied by the  
4230 total funds received by the Local Government Housing Trust Fund  
4231 pursuant to s. 201.15(4)(c) ~~s. 201.15(9)~~ reduced by the  
4232 guaranteed amount paid to all counties.

4233 (2) Distributions calculated in this section shall be  
4234 disbursed on a quarterly or more frequent basis by the  
4235 corporation pursuant to s. 420.9072, subject to availability of  
4236 funds. Each county's share of the funds to be distributed from  
4237 the portion of the funds in the Local Government Housing Trust  
4238 Fund received pursuant to s. 201.15(4)(d) ~~s. 201.15(10)~~ shall be  
4239 calculated by the corporation for each fiscal year as follows:

4240 (a) Each county shall receive the guaranteed amount for  
4241 each fiscal year.

4242 (b) Each county may receive an additional share calculated  
4243 as follows:

4244 1. Multiply each county's percentage of the total state  
4245 population, by the total funds to be distributed.



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4246           2. If the result in subparagraph 1. is less than the  
4247 guaranteed amount as determined in subsection (3), that county's  
4248 additional share shall be zero.

4249           3. For each county in which the result in subparagraph 1.  
4250 is greater than the guaranteed amount, the amount calculated in  
4251 subparagraph 1. shall be reduced by the guaranteed amount. The  
4252 result for each such county shall be expressed as a percentage  
4253 of the amounts so determined for all counties. Each such county  
4254 shall receive an additional share equal to this percentage  
4255 multiplied by the total funds received by the Local Government  
4256 Housing Trust Fund pursuant to s. 201.15(4)(d) ~~s. 201.15(10)~~ as  
4257 reduced by the guaranteed amount paid to all counties.

4258           (3) Calculation of guaranteed amounts:

4259           (a) The guaranteed amount under subsection (1) shall be  
4260 calculated for each state fiscal year by multiplying \$350,000 by  
4261 a fraction, the numerator of which is the amount of funds  
4262 distributed to the Local Government Housing Trust Fund pursuant  
4263 to s. 201.15(4)(c) ~~s. 201.15(9)~~ and the denominator of which is  
4264 the total amount of funds distributed to the Local Government  
4265 Housing Trust Fund pursuant to s. 201.15.

4266           (b) The guaranteed amount under subsection (2) shall be  
4267 calculated for each state fiscal year by multiplying \$350,000 by  
4268 a fraction, the numerator of which is the amount of funds  
4269 distributed to the Local Government Housing Trust Fund pursuant  
4270 to s. 201.15(4)(d) ~~s. 201.15(10)~~ and the denominator of which is  
4271 the total amount of funds distributed to the Local Government  
4272 Housing Trust Fund pursuant to s. 201.15.

4273           Section 79. Section 570.207, Florida Statutes, is repealed.

4274           Section 80. Subsection (2) of section 570.321, Florida



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4275 Statutes, is amended to read:

4276 570.321 Plant Industry Trust Fund.—

4277 (2) Funds to be credited to and uses of the trust fund  
4278 shall be administered in accordance with ss. ~~259.032~~, 581.031,  
4279 581.141, 581.211, 581.212, 586.045, 586.15, 586.16, 593.114, and  
4280 593.117.

4281 Section 81. Subsection (12) of section 570.71, Florida  
4282 Statutes, is amended to read:

4283 570.71 Conservation easements and agreements.—

4284 (12) The department may use appropriated funds from the  
4285 following sources to implement this section:

4286 (a) State funds;

4287 (b) Federal funds;

4288 (c) Other governmental entities;

4289 (d) Nongovernmental organizations; or

4290 (e) Private individuals.

4291

4292 Any such funds provided, other than from the Land Acquisition  
4293 Trust Fund, shall be deposited into the Incidental Conservation  
4294 and Recreation Lands Program Trust Fund within the Department of  
4295 Agriculture and Consumer Services and used for the purposes of  
4296 this section, including administrative and operating expenses  
4297 related to appraisals, mapping, title process, personnel, and  
4298 other real estate expenses.

4299 Section 82. Paragraph (c) of subsection (1) of section  
4300 895.09, Florida Statutes, is amended to read:

4301 895.09 Disposition of funds obtained through forfeiture  
4302 proceedings.—

4303 (1) A court entering a judgment of forfeiture in a



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4304 proceeding brought pursuant to s. 895.05 shall retain  
4305 jurisdiction to direct the distribution of any cash or of any  
4306 cash proceeds realized from the forfeiture and disposition of  
4307 the property. The court shall direct the distribution of the  
4308 funds in the following order of priority:

4309 (c) Any claim by the Board of Trustees of the Internal  
4310 Improvement Trust Fund on behalf of the Internal Improvement  
4311 Trust Fund or the ~~Land Acquisition~~ trust fund used pursuant to  
4312 s. 253.03(12), not including administrative costs of the  
4313 Department of Environmental Protection previously paid directly  
4314 from the Internal Improvement Trust Fund in accordance with  
4315 legislative appropriation.

4316 Section 83. For the purpose of incorporating the amendment  
4317 made by this act to section 201.15, Florida Statutes, in a  
4318 reference thereto, subsection (6) of section 339.2818, Florida  
4319 Statutes, is reenacted to read:

4320 339.2818 Small County Outreach Program.—

4321 (6) Funds paid into the State Transportation Trust Fund  
4322 pursuant to s. 201.15 for the purposes of the Small County  
4323 Outreach Program are hereby annually appropriated for  
4324 expenditure to support the Small County Outreach Program.

4325 Section 84. For the purpose of incorporating the amendment  
4326 made by this act to section 201.15, Florida Statutes, in a  
4327 reference thereto, subsection (5) of section 339.2819, Florida  
4328 Statutes, is reenacted to read:

4329 339.2819 Transportation Regional Incentive Program.—

4330 (5) Funds paid into the State Transportation Trust Fund  
4331 pursuant to s. 201.15 for the purposes of the Transportation  
4332 Regional Incentive Program are hereby annually appropriated for



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4333 expenditure to support that program.

4334           Section 85. For the purpose of incorporating the amendment  
4335 made by this act to section 201.15, Florida Statutes, in a  
4336 reference thereto, subsection (3) of section 339.61, Florida  
4337 Statutes, is reenacted to read:

4338           339.61 Florida Strategic Intermodal System; legislative  
4339 findings, declaration, and intent.—

4340           (3) Funds paid into the State Transportation Trust Fund  
4341 pursuant to s. 201.15 for the purposes of the Florida Strategic  
4342 Intermodal System are hereby annually appropriated for  
4343 expenditure to support that program.

4344           Section 86. For the purpose of incorporating the amendment  
4345 made by this act to section 201.15, Florida Statutes, in a  
4346 reference thereto, subsection (6) of section 341.051, Florida  
4347 Statutes, is reenacted to read:

4348           341.051 Administration and financing of public transit and  
4349 intercity bus service programs and projects.—

4350           (6) ANNUAL APPROPRIATION.—Funds paid into the State  
4351 Transportation Trust Fund pursuant to s. 201.15 for the New  
4352 Starts Transit Program are hereby annually appropriated for  
4353 expenditure to support the New Starts Transit Program.

4354  
4355 For purposes of this section, the term “net operating costs”  
4356 means all operating costs of a project less any federal funds,  
4357 fares, or other sources of income to the project.

4358           Section 87. For the purpose of incorporating the amendment  
4359 made by this act to section 201.15, Florida Statutes, in a  
4360 reference thereto, subsection (1) of section 420.9079, Florida  
4361 Statutes, is reenacted to read:



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4362 420.9079 Local Government Housing Trust Fund.—

4363 (1) There is created in the State Treasury the Local  
4364 Government Housing Trust Fund, which shall be administered by  
4365 the corporation on behalf of the department according to the  
4366 provisions of ss. 420.907-420.9076 and this section. There shall  
4367 be deposited into the fund a portion of the documentary stamp  
4368 tax revenues as provided in s. 201.15, moneys received from any  
4369 other source for the purposes of ss. 420.907-420.9076 and this  
4370 section, and all proceeds derived from the investment of such  
4371 moneys. Moneys in the fund that are not currently needed for the  
4372 purposes of the programs administered pursuant to ss. 420.907-  
4373 420.9076 and this section shall be deposited to the credit of  
4374 the fund and may be invested as provided by law. The interest  
4375 received on any such investment shall be credited to the fund.

4376 Section 88. For the purpose of incorporating the amendment  
4377 made by this act to section 376.307, Florida Statutes, in a  
4378 reference thereto, subsection (2) of section 287.0595, Florida  
4379 Statutes, is reenacted to read:

4380 287.0595 Pollution response action contracts; department  
4381 rules.—

4382 (2) In adopting rules under this section, the Department of  
4383 Environmental Protection shall follow the criteria applicable to  
4384 the department's contracting to the maximum extent possible,  
4385 consistent with the goals and purposes of ss. 376.307 and  
4386 376.3071.

4387 Section 89. If any law amended by this act was also amended  
4388 by a law enacted during the 2015 Regular Session of the  
4389 Legislature, such law shall be construed as if enacted during  
4390 the same session of the Legislature, and full effect shall be





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4391 given to each if possible.

4392           Section 90. Except as otherwise expressly provided in this  
4393 act and except for this section, which shall take effect upon  
4394 this act becoming a law, this act shall take effect July 1,  
4395 2015, except that if an earlier effective date is specified  
4396 herein for any section, that section shall operate retroactively  
4397 to that date. If this act fails to become a law until after July  
4398 1, 2015, it shall take effect upon becoming a law and operate  
4399 retroactively to July 1, 2015, except that if an earlier  
4400 effective date is specified herein for any section, that section  
4401 shall take effect upon becoming a law and operate retroactively  
4402 to that date.

4403  
4404 ===== T I T L E   A M E N D M E N T =====

4405 And the title is amended as follows:

4406           Delete everything before the enacting clause  
4407 and insert:

4408                           A bill to be entitled  
4409           An act relating to the implementation of the water and  
4410 land conservation constitutional amendment;  
4411 terminating certain trust funds within the Department  
4412 of Environmental Protection, the Department of  
4413 Agriculture and Consumer Services, and the Fish and  
4414 Wildlife Conservation Commission; providing for the  
4415 disposition of balances in those trust funds;  
4416 requiring all outstanding debts or obligations of the  
4417 terminated trust funds to be paid as required;  
4418 requiring the Chief Financial Officer to close out and  
4419 remove the terminated trust funds from the various



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4420 state accounting systems; amending s. 17.61, F.S.;

4421 requiring moneys in any land acquisition trust fund

4422 created or designated to receive funds under s. 28,

4423 Article X of the State Constitution to be retained in

4424 those trust funds; repealing s. 161.05301, F.S.,

4425 relating to beach erosion control project staffing;

4426 amending s. 161.054, F.S.; redirecting certain

4427 proceeds from the Ecosystem Management and Restoration

4428 Trust Fund to the Florida Coastal Protection Trust

4429 Fund; amending s. 161.091, F.S.; authorizing

4430 disbursements from the Land Acquisition Trust Fund for

4431 beach management; amending s. 201.0205, F.S.;

4432 conforming provisions to changes made by the act;

4433 amending s. 201.15, F.S.; revising and deleting

4434 distributions of the documentary stamp tax; providing

4435 that specified distributions to the Land Acquisition

4436 Trust Fund are not subject to the service charge under

4437 s. 215.20, F.S.; revising the purposes for which

4438 distributions may be used; amending s. 211.3103, F.S.;

4439 authorizing a percentage of proceeds from the

4440 phosphate rock excise tax to be credited to the State

4441 Park Trust Fund rather than the Conservation and

4442 Recreation Lands Trust Fund; revising dates and

4443 distributions of moneys to fund specific programs and

4444 activities; amending s. 215.20, F.S.; conforming

4445 provisions to changes made by the act; amending s.

4446 215.618, F.S.; authorizing Florida Forever bonds to be

4447 issued to finance or refinance the acquisition and

4448 improvement of land, water areas, and related property



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4449 interests; limiting the percentage of documentary  
4450 stamp taxes collected that may be taken into account  
4451 for the purpose of satisfying an additional bonds test  
4452 set forth in certain bonds; amending s. 215.619, F.S.;

4453 limiting the percentage of documentary stamp taxes  
4454 collected that may be taken into account for the  
4455 purpose of satisfying an additional bonds test set  
4456 forth in certain bonds; amending ss. 253.027 and  
4457 253.03, F.S.; conforming provisions to changes made by  
4458 the act; amending s. 253.034, F.S.; requiring proceeds  
4459 from the sale of surplus conservation lands purchased  
4460 before a certain date to be deposited into the Florida  
4461 Forever Trust Fund and after such date under certain  
4462 circumstances into the Land Acquisition Trust Fund;

4463 limiting the amount of funds that may be expended from  
4464 the Land Acquisition Trust Fund for funding certain  
4465 contractual arrangements; amending s. 253.7824, F.S.;

4466 conforming provisions to changes made by the act;  
4467 amending s. 258.015, F.S.; conforming a cross-  
4468 reference; amending s. 258.435, F.S.; requiring moneys  
4469 received by the Department of Environmental Protection  
4470 relating to aquatic preserves to be deposited into  
4471 certain trust funds; amending s. 259.032, F.S.;

4472 conforming provisions affected by the termination of  
4473 the Conservation and Recreation Lands Trust Fund;

4474 authorizing state agencies designated to manage lands  
4475 acquired with funds deposited into the Land  
4476 Acquisition Trust Fund to contract with local  
4477 governments and soil and water conservation districts



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4478 to assist in management activities; amending s.  
4479 259.035, F.S.; requiring the Acquisition and  
4480 Restoration Council to develop rules defining specific  
4481 criteria and numeric performance measures needed for  
4482 lands acquired under the Florida Forever Program with  
4483 funds deposited into the Land Acquisition Trust Fund  
4484 pursuant to s. 28(a), Article X of the State  
4485 Constitution; requiring the proposed rules to be  
4486 submitted to the Legislature for consideration;  
4487 requiring recipients of funds from the Land  
4488 Acquisition Trust Fund to annually report to the  
4489 Division of State Lands; requiring the council to  
4490 consider and evaluate in writing each project proposed  
4491 for acquisition using such funds and ensure that each  
4492 proposed project meets the requirements of s. 28,  
4493 Article X of the State Constitution; amending ss.  
4494 259.036, 259.037, 259.04, and 259.041, F.S.;  
4495 conforming cross-references; amending s. 259.101,  
4496 F.S.; conforming provisions affected by the  
4497 termination of the Preservation 2000 Trust Fund;  
4498 requiring agencies and water management districts that  
4499 acquired lands using Preservation 2000 funds to make  
4500 such lands available for public recreational use under  
4501 certain circumstances; requiring water management  
4502 districts and the department to control the growth of  
4503 nonnative invasive plant species on such lands;  
4504 amending s. 259.105, F.S.; deleting obsolete  
4505 provisions; conforming cross-references; limiting the  
4506 amount of funds that may be expended from the Land



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4507 Acquisition Trust Fund for funding certain contractual  
4508 arrangements; amending ss. 259.1051, 339.0801, 339.55,  
4509 341.303, 343.58, 369.252, 373.026, and 373.089, F.S.;  
4510 conforming cross-references; conforming provisions to  
4511 changes made by the act; amending s. 373.129, F.S.;  
4512 requiring certain civil penalties to be retained by  
4513 the water management districts or deposited into the  
4514 Water Quality Assurance Trust Fund; amending ss.  
4515 373.1391 and 373.199, F.S.; conforming provisions to  
4516 changes made by the act; amending s. 373.430, F.S.;  
4517 requiring certain moneys to be deposited into the  
4518 Water Quality Assurance Trust Fund rather than the  
4519 Ecosystem Management and Restoration Trust Fund;  
4520 amending ss. 373.459, 373.4592, 373.45926, 373.470,  
4521 373.472, and 373.584, F.S.; conforming provisions to  
4522 changes made by the act; amending s. 373.59, F.S.;  
4523 conforming provisions affected by the termination of  
4524 the Water Management Lands Trust Fund; amending s.  
4525 373.5905, F.S.; conforming a cross-reference; amending  
4526 ss. 373.703 and 375.031, F.S.; conforming provisions  
4527 to changes made by the act; amending s. 375.041, F.S.;  
4528 designating the Land Acquisition Trust Fund within the  
4529 Department of Environmental Protection for receipt of  
4530 certain documentary stamp tax revenues for the  
4531 prescribed uses of s. 28, Article X of the State  
4532 Constitution; providing for the continuation of the  
4533 trust fund until a certain time; requiring certain  
4534 moneys and revenues to be deposited into the Land  
4535 Acquisition Trust Fund; providing priority for the use



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4536 of moneys in the trust fund; requiring agencies  
4537 receiving transfers of moneys from the fund to  
4538 maintain the integrity of such funds; amending s.  
4539 375.044, F.S.; conforming provisions to changes made  
4540 by the act; repealing s. 375.045, F.S., relating to  
4541 the Florida Preservation 2000 Trust Fund; amending s.  
4542 375.075, F.S.; conforming provisions to changes made  
4543 by the act; amending s. 376.11, F.S.; revising the  
4544 funds required to be deposited into the Florida  
4545 Coastal Protection Trust Fund and the purposes for  
4546 which such funds may be used; amending s. 376.123,  
4547 F.S.; conforming a cross-reference; amending s.  
4548 376.307, F.S.; revising the funds required to be  
4549 deposited into the Water Quality Assurance Trust Fund  
4550 and the purposes for which such funds may be used;  
4551 authorizing the department to enter into certain  
4552 settlements; amending s. 376.40, F.S.; conforming a  
4553 cross-reference; repealing s. 379.202, F.S., relating  
4554 to the Conservation and Recreation Lands Program Trust  
4555 Fund of the Fish and Wildlife Conservation Commission;  
4556 amending s. 379.206, F.S.; requiring grants and  
4557 donations from development-of-regional-impact wildlife  
4558 mitigation contributions to be credited to the Grants  
4559 and Donations Trust Fund; requiring that title to  
4560 certain lands be vested in the Board of Trustees of  
4561 the Internal Improvement Trust Fund; providing that  
4562 certain land acquisitions are subject to certain  
4563 procedures; amending s. 379.212, F.S.; providing that  
4564 the Land Acquisition Trust Fund within the Fish and



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4565 Wildlife Conservation Commission must be used to  
4566 implement s. 28, Article X of the State Constitution;  
4567 authorizing the department to transfer certain funds;  
4568 requiring the commission to maintain the integrity of  
4569 such funds; providing for the transfer of certain  
4570 funds; amending s. 379.214, F.S.; conforming a cross-  
4571 reference; amending s. 380.0666, F.S.; conforming  
4572 provisions to changes made by the act; repealing s.  
4573 380.0677, F.S., relating to the Green Swamp Land  
4574 Authority; amending s. 380.507, F.S.; conforming  
4575 provisions to changes made by the act; amending s.  
4576 380.508, F.S.; requiring certain funds over and above  
4577 eligible project costs to be deposited into the  
4578 Florida Forever Trust Fund rather than the Florida  
4579 Communities Trust Fund; amending s. 380.510, F.S.;  
4580 requiring certain funds collected under a grant or  
4581 loan agreement to be deposited into the Internal  
4582 Improvement Trust Fund rather than the Florida  
4583 Communities Trust Fund; requiring the deed or lease of  
4584 any real property acquired with certain funds to  
4585 contain covenants and restrictions sufficient to  
4586 ensure that the use of such real property complies  
4587 with s. 28, Article X of the State Constitution;  
4588 conforming provisions to changes made by the act;  
4589 repealing s. 380.511, F.S., relating to the Florida  
4590 Communities Trust Fund; amending s. 403.0615, F.S.;  
4591 conforming provisions to changes made by the act;  
4592 amending ss. 403.08601 and 403.121, F.S.; requiring  
4593 certain funds to be deposited into the Water Quality



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4594 Assurance Trust Fund rather than the Ecosystem  
4595 Management and Restoration Trust Fund; repealing s.  
4596 403.1651, F.S., relating to the Ecosystem Management  
4597 and Restoration Trust Fund; amending s. 403.885, F.S.;  
4598 conforming provisions to changes made by the act;  
4599 repealing s. 403.8911, F.S., relating to the annual  
4600 appropriation from the Water Protection and  
4601 Sustainability Program Trust Fund; amending s.  
4602 403.9325, F.S.; revising and redefining the term  
4603 "public lands set aside for conservation or  
4604 preservation" to include lands and interests acquired  
4605 with funds deposited into the Land Acquisition Trust  
4606 Fund; amending s. 403.93345, F.S.; redefining the term  
4607 "fund" to mean the Water Quality Assurance Trust Fund;  
4608 requiring certain funds to be deposited into the Water  
4609 Quality Assurance Trust Fund rather than the Ecosystem  
4610 Management and Restoration Trust Fund; amending ss.  
4611 420.5092 and 420.9073, F.S.; conforming provisions to  
4612 changes made by the act; repealing s. 570.207, F.S.,  
4613 relating to the Conservation and Recreation Lands  
4614 Program Trust Fund of the Department of Agriculture  
4615 and Consumer Services; amending s. 570.321, F.S.;  
4616 conforming a cross-reference; amending s. 570.71,  
4617 F.S.; excluding funds from the Land Acquisition Trust  
4618 Fund from a requirement that funds be deposited into  
4619 the Incidental Trust Fund under certain circumstances;  
4620 amending s. 895.09, F.S.; conforming provisions to  
4621 changes made by the act; reenacting s. 339.2818(6),  
4622 F.S., relating to the Small County Outreach Program,





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4623 s. 339.2819(5), F.S., relating to the Transportation  
4624 Regional Incentive Program, s. 339.61(3), F.S.,  
4625 relating to the Florida Strategic Intermodal System,  
4626 s. 341.051(6), F.S., relating to the New Starts  
4627 Transit Program, and s. 420.9079(1), F.S., relating to  
4628 the Local Government Housing Trust Fund, to  
4629 incorporate the amendment made by this act to s.  
4630 201.15, F.S., in references thereto; reenacting s.  
4631 287.0595(2), F.S., relating to Department of  
4632 Environmental Protection's authority to adopt certain  
4633 pollution response rules, to incorporate the amendment  
4634 made by this act to s. 376.307, F.S., in a reference  
4635 thereto; providing for construction of the act in pari  
4636 materia with laws enacted during the 2015 Regular  
4637 Session of the Legislature; providing for contingent  
4638 retroactive operation; providing effective dates.