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

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30 s. 215.20, F.S.; revising the purposes for which
31 distributions may be used; amending s. 211.3103, F.S.;
32 authorizing a percentage of proceeds from the
33 phosphate rock excise tax to be credited to the State
34 Park Trust Fund rather than the Conservation and
35 Recreation Lands Trust Fund; revising dates and
36 distributions of moneys to fund specific programs and
37 activities; amending s. 215.20, F.S.; conforming
38 provisions to changes made by the act; amending s.
39 215.618, F.S.; authorizing Florida Forever bonds to be
40 issued to finance or refinance the acquisition and
41 improvement of land, water areas, and related property
42 interests; limiting the percentage of documentary
43 stamp taxes collected that may be taken into account
44 for the purpose of satisfying an additional bonds test
45 set forth in certain bonds; amending s. 215.619, F.S.;
46 limiting the percentage of documentary stamp taxes
47 collected that may be taken into account for the
48 purpose of satisfying an additional bonds test set
49 forth in certain bonds; amending ss. 253.027 and
50 253.03, F.S.; conforming provisions to changes made by
51 the act; amending s. 253.034, F.S.; requiring proceeds
52 from the sale of surplus conservation lands purchased
53 before a certain date to be deposited into the Florida
54 Forever Trust Fund and after such date under certain
55 circumstances into the Land Acquisition Trust Fund;
56 limiting the amount of funds that may be expended from
57 the Land Acquisition Trust Fund for funding certain
58 contractual arrangements; amending s. 253.7824, F.S.;

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59 conforming provisions to changes made by the act;
60 amending s. 258.015, F.S.; conforming a cross-
61 reference; amending s. 258.435, F.S.; requiring moneys
62 received by the Department of Environmental Protection
63 relating to aquatic preserves to be deposited into
64 certain trust funds; amending s. 259.032, F.S.;
65 conforming provisions affected by the termination of
66 the Conservation and Recreation Lands Trust Fund;
67 authorizing state agencies designated to manage lands
68 acquired with funds deposited into the Land
69 Acquisition Trust Fund to contract with local
70 governments and soil and water conservation districts
71 to assist in management activities; amending s.
72 259.035, F.S.; requiring the Acquisition and
73 Restoration Council to develop rules defining specific
74 criteria and numeric performance measures needed for
75 lands acquired under the Florida Forever Program with
76 funds deposited into the Land Acquisition Trust Fund
77 pursuant to s. 28(a), Article X of the State
78 Constitution; requiring the proposed rules to be
79 submitted to the Legislature for consideration;
80 requiring recipients of funds from the Land
81 Acquisition Trust Fund to annually report to the
82 Division of State Lands; requiring the council to
83 consider and evaluate in writing each project proposed
84 for acquisition using such funds and ensure that each
85 proposed project meets the requirements of s. 28,
86 Article X of the State Constitution; amending ss.
87 259.036, 259.037, 259.04, and 259.041, F.S.;

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88 conforming cross-references; amending s. 259.101,
89 F.S.; conforming provisions affected by the
90 termination of the Preservation 2000 Trust Fund;
91 requiring agencies and water management districts that
92 acquired lands using Preservation 2000 funds to make
93 such lands available for public recreational use under
94 certain circumstances; requiring water management
95 districts and the department to control the growth of
96 nonnative invasive plant species on such lands;
97 amending s. 259.105, F.S.; deleting obsolete
98 provisions; conforming cross-references; limiting the
99 amount of funds that may be expended from the Land
100 Acquisition Trust Fund for funding certain contractual
101 arrangements; amending ss. 259.1051, 339.0801, 339.55,
102 341.303, 343.58, 369.252, 373.026, and 373.089, F.S.;
103 conforming cross-references; conforming provisions to
104 changes made by the act; amending s. 373.129, F.S.;
105 requiring certain civil penalties to be retained by
106 the water management districts or deposited into the
107 Water Quality Assurance Trust Fund; amending ss.
108 373.1391 and 373.199, F.S.; conforming provisions to
109 changes made by the act; amending s. 373.430, F.S.;
110 requiring certain moneys to be deposited into the
111 Water Quality Assurance Trust Fund rather than the
112 Ecosystem Management and Restoration Trust Fund;
113 amending ss. 373.459, 373.4592, 373.45926, 373.470,
114 373.472, and 373.584, F.S.; conforming provisions to
115 changes made by the act; amending s. 373.59, F.S.;
116 conforming provisions affected by the termination of

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117 the Water Management Lands Trust Fund; amending s.
118 373.5905, F.S.; conforming a cross-reference; amending
119 ss. 373.703 and 375.031, F.S.; conforming provisions
120 to changes made by the act; amending s. 375.041, F.S.;
121 designating the Land Acquisition Trust Fund within the
122 Department of Environmental Protection for receipt of
123 certain documentary stamp tax revenues for the
124 prescribed uses of s. 28, Article X of the State
125 Constitution; providing for the continuation of the
126 trust fund until a certain time; requiring certain
127 moneys and revenues to be deposited into the Land
128 Acquisition Trust Fund; providing priority for the use
129 of moneys in the trust fund; requiring agencies
130 receiving transfers of moneys from the fund to
131 maintain the integrity of such funds; amending s.
132 375.044, F.S.; conforming provisions to changes made
133 by the act; repealing s. 375.045, F.S., relating to
134 the Florida Preservation 2000 Trust Fund; amending s.
135 375.075, F.S.; conforming provisions to changes made
136 by the act; amending s. 376.11, F.S.; revising the
137 funds required to be deposited into the Florida
138 Coastal Protection Trust Fund and the purposes for
139 which such funds may be used; amending s. 376.123,
140 F.S.; conforming a cross-reference; amending s.
141 376.307, F.S.; revising the funds required to be
142 deposited into the Water Quality Assurance Trust Fund
143 and the purposes for which such funds may be used;
144 authorizing the department to enter into certain
145 settlements; amending s. 376.40, F.S.; conforming a

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146 cross-reference; repealing s. 379.202, F.S., relating
147 to the Conservation and Recreation Lands Program Trust
148 Fund of the Fish and Wildlife Conservation Commission;
149 amending s. 379.206, F.S.; requiring grants and
150 donations from development-of-regional-impact wildlife
151 mitigation contributions to be credited to the Grants
152 and Donations Trust Fund; requiring that title to
153 certain lands be vested in the Board of Trustees of
154 the Internal Improvement Trust Fund; providing that
155 certain land acquisitions are subject to certain
156 procedures; amending s. 379.212, F.S.; providing that
157 the Land Acquisition Trust Fund within the Fish and
158 Wildlife Conservation Commission must be used to
159 implement s. 28, Article X of the State Constitution;
160 authorizing the department to transfer certain funds;
161 requiring the commission to maintain the integrity of
162 such funds; providing for the transfer of certain
163 funds; amending s. 379.214, F.S.; conforming a cross-
164 reference; amending s. 380.0666, F.S.; conforming
165 provisions to changes made by the act; repealing s.
166 380.0677, F.S., relating to the Green Swamp Land
167 Authority; amending s. 380.507, F.S.; conforming
168 provisions to changes made by the act; amending s.
169 380.508, F.S.; requiring certain funds over and above
170 eligible project costs to be deposited into the
171 Florida Forever Trust Fund rather than the Florida
172 Communities Trust Fund; amending s. 380.510, F.S.;
173 requiring certain funds collected under a grant or
174 loan agreement to be deposited into the Internal

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175 Improvement Trust Fund rather than the Florida
176 Communities Trust Fund; requiring the deed or lease of
177 any real property acquired with certain funds to
178 contain covenants and restrictions sufficient to
179 ensure that the use of such real property complies
180 with s. 28, Article X of the State Constitution;
181 conforming provisions to changes made by the act;
182 repealing s. 380.511, F.S., relating to the Florida
183 Communities Trust Fund; amending s. 403.0615, F.S.;
184 conforming provisions to changes made by the act;
185 amending ss. 403.08601 and 403.121, F.S.; requiring
186 certain funds to be deposited into the Water Quality
187 Assurance Trust Fund rather than the Ecosystem
188 Management and Restoration Trust Fund; repealing s.
189 403.1651, F.S., relating to the Ecosystem Management
190 and Restoration Trust Fund; amending s. 403.885, F.S.;
191 conforming provisions to changes made by the act;
192 repealing s. 403.8911, F.S., relating to the annual
193 appropriation from the Water Protection and
194 Sustainability Program Trust Fund; amending s.
195 403.9325, F.S.; revising and redefining the term
196 "public lands set aside for conservation or
197 preservation" to include lands and interests acquired
198 with funds deposited into the Land Acquisition Trust
199 Fund; amending s. 403.93345, F.S.; redefining the term
200 "fund" to mean the Water Quality Assurance Trust Fund;
201 requiring certain funds to be deposited into the Water
202 Quality Assurance Trust Fund rather than the Ecosystem
203 Management and Restoration Trust Fund; amending ss.

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204 420.5092 and 420.9073, F.S.; conforming provisions to
205 changes made by the act; repealing s. 570.207, F.S.,
206 relating to the Conservation and Recreation Lands
207 Program Trust Fund of the Department of Agriculture
208 and Consumer Services; amending s. 570.321, F.S.;
209 conforming a cross-reference; amending s. 570.71,
210 F.S.; excluding funds from the Land Acquisition Trust
211 Fund from a requirement that funds be deposited into
212 the Incidental Trust Fund under certain circumstances;
213 amending s. 895.09, F.S.; conforming provisions to
214 changes made by the act; reenacting s. 339.2818(6),
215 F.S., relating to the Small County Outreach Program,
216 s. 339.2819(5), F.S., relating to the Transportation
217 Regional Incentive Program, s. 339.61(3), F.S.,
218 relating to the Florida Strategic Intermodal System,
219 s. 341.051(6), F.S., relating to the New Starts
220 Transit Program, and s. 420.9079(1), F.S., relating to
221 the Local Government Housing Trust Fund, to
222 incorporate the amendment made by this act to s.
223 201.15, F.S., in references thereto; reenacting s.
224 287.0595(2), F.S., relating to Department of
225 Environmental Protection's authority to adopt certain
226 pollution response rules, to incorporate the amendment
227 made by this act to s. 376.307, F.S., in a reference
228 thereto; providing for construction of the act in pari
229 materia with laws enacted during the 2015 Regular
230 Session of the Legislature; providing for contingent
231 retroactive operation; providing effective dates.
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233 Be It Enacted by the Legislature of the State of Florida:

234

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

237 (a) The Florida Preservation 2000 Trust Fund, FLAIR number
238 37-2-332.

239 (b) The Florida Communities Trust Fund, FLAIR number 37-2-
240 244.

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

243 (d) The Water Management Lands Trust Fund, FLAIR number 37-
244 2-776.

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

247 (2) (a) All current balances remaining in the Florida
248 Communities Trust Fund and the Florida Preservation 2000 Trust
249 Fund shall be transferred to the Land Acquisition Trust Fund,
250 FLAIR number 37-2-423.

251 (b) All current balances remaining in the Conservation and
252 Recreation Lands Trust Fund shall be transferred to the General
253 Revenue Fund.

254 (c) All current balances remaining in, and all revenues of,
255 the Ecosystem Management and Restoration Trust Fund shall be
256 transferred to the General Revenue Fund, except for balances
257 associated with the Reef Grounding Program and the Pollution
258 Recovery Restricted Accounts, which shall be transferred to the
259 Water Quality Assurance Trust Fund, FLAIR number 37-2-780.

260 (d) All current balances remaining in, and all revenues of,
261 the Water Management Lands Trust Fund shall be transferred to

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262 the General Revenue Fund, except for balances associated with
263 debt service on bonds issued before February 1, 2009, by the
264 South Florida Water Management District and the St. Johns River
265 Water Management District, which shall be transferred to the
266 Land Acquisition Trust Fund, FLAIR number 37-2-423.

267 (3) The Department of Environmental Protection shall pay
268 any outstanding debts or obligations of the terminated trust
269 funds as required, and the Chief Financial Officer shall close
270 out and remove the terminated trust funds from the various state
271 accounting systems using generally accepted accounting
272 principles concerning warrants outstanding, assets, and
273 liabilities.

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

277 (2) The Department of Agriculture and Consumer Services
278 shall pay any outstanding debts or obligations of the terminated
279 trust fund as soon as practicable, and the Chief Financial
280 Officer shall close out and remove that terminated trust fund
281 from the various state accounting systems using generally
282 accepted accounting principles concerning warrants outstanding,
283 assets, and liabilities.

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

287 (2) The Fish and Wildlife Conservation Commission shall pay
288 any outstanding debts or obligations of the terminated trust
289 fund as soon as practicable, and the Chief Financial Officer
290 shall close out and remove that terminated trust fund from the

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291 various state accounting systems using generally accepted
292 accounting principles concerning warrants outstanding, assets,
293 and liabilities.

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

296 17.61 Chief Financial Officer; powers and duties in the
297 investment of certain funds.—

298 (3)

299 (e) Moneys in any land acquisition trust fund created or
300 designated to receive funds under s. 28, Art. X of the State
301 Constitution may not be invested as provided in this section,
302 but shall be retained in those trust funds, with the interest
303 appropriated to the General Revenue Fund, as provided in s.
304 17.57.

305 Section 5. Section 161.05301, Florida Statutes, is
306 repealed.

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

309 161.054 Administrative fines; liability for damage; liens.—

310 (3) The imposition of a fine or an award of damages
311 pursuant to this section shall create a lien upon the real and
312 personal property of the violator, enforceable by the department
313 as are statutory liens under chapter 85. The proceeds of such
314 fines and awards of damages shall be deposited in the Florida
315 Coastal Protection Ecosystem Management and Restoration Trust
316 Fund.

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

319 161.091 Beach management; funding; repair and maintenance

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320 strategy.—

321 (1) Subject to such appropriations as the Legislature may
322 make therefor from time to time, disbursements from the Land
323 Acquisition Ecosystem Management and Restoration Trust Fund may
324 be made by the department in order to carry out the proper state
325 responsibilities in a comprehensive, long-range, statewide beach
326 management plan for erosion control; beach preservation,
327 restoration, and nourishment; and storm and hurricane
328 protection; and other activities authorized for beaches and
329 shores pursuant to s. 28, Art. X of the State Constitution.

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

333 (3) In accordance with the intent expressed in s. 161.088
334 and the legislative finding that erosion of the beaches of this
335 state is detrimental to tourism, the state's major industry,
336 further exposes the state's highly developed coastline to severe
337 storm damage, and threatens beach-related jobs, which, if not
338 stopped, may significantly reduce state sales tax revenues,
339 funds deposited into the State Treasury to the credit of the
340 Land Acquisition Ecosystem Management and Restoration Trust
341 Fund, in the annual amounts provided in s. 201.15, shall be
342 used, for a period of not less than 15 years, to fund the
343 development, implementation, and administration of the state's
344 beach management plan, as provided in ss. 161.091-161.212 and as
345 authorized in s. 28, Art. X of the State Constitution, prior to
346 the use of such funds deposited pursuant to s. 201.15 in that
347 trust fund for any other purpose.

348 Section 8. Section 201.0205, Florida Statutes, is amended

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349 to read:

350 201.0205 Counties that have implemented ch. 83-220;
351 inapplicability of 10-cent tax increase by s. 2, ch. 92-317,
352 Laws of Florida.—The 10-cent tax increase in the documentary
353 stamp tax levied by s. 2, chapter 92-317, does not apply to
354 deeds and other taxable instruments relating to real property
355 located in any county that has implemented the provisions of
356 chapter 83-220, Laws of Florida, as amended by chapters 84-270,
357 86-152, and 89-252, Laws of Florida. Each such county and each
358 eligible jurisdiction within such county may ~~shall not be~~
359 ~~eligible to~~ participate in programs funded pursuant to s.
360 201.15(4)(c) ~~s. 201.15(9)~~. However, each such county and each
361 eligible jurisdiction within such county may ~~shall be eligible~~
362 ~~to~~ participate in programs funded pursuant to s. 201.15(4)(d) ~~s.~~
363 ~~201.15(10)~~.

364 Section 9. Section 201.15, Florida Statutes, is amended to
365 read:

366 201.15 Distribution of taxes collected.—All taxes collected
367 under this chapter are hereby pledged and shall be first made
368 available to make payments when due on bonds issued pursuant to
369 s. 215.618 or s. 215.619, or any other bonds authorized to be
370 issued on a parity basis with such bonds. Such pledge and
371 availability for the payment of these bonds shall have priority
372 over any requirement for the payment of service charges or costs
373 of collection and enforcement under this section. All taxes
374 collected under this chapter, except taxes distributed to the
375 Land Acquisition Trust Fund pursuant to subsections (1) and (2),
376 are subject to the service charge imposed in s. 215.20(1).
377 Before distribution pursuant to ~~under~~ this section, the

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378 Department of Revenue shall deduct amounts necessary to pay the
379 costs of the collection and enforcement of the tax levied by
380 this chapter. The ~~Such~~ costs and ~~the~~ service charge may not be
381 levied against any portion of taxes pledged to debt service on
382 bonds to the extent that the costs and service charge are
383 required to pay any amounts relating to the bonds. ~~After~~
384 ~~distributions are made pursuant to subsection (1),~~ All of the
385 costs of the collection and enforcement of the tax levied by
386 this chapter and the service charge shall be available and
387 transferred to the extent necessary to pay debt service and any
388 other amounts payable with respect to bonds authorized before
389 January 1, 2015, secured by revenues distributed pursuant to
390 this section ~~subsection (1)~~. All taxes remaining after deduction
391 of costs and ~~the service charge~~ shall be distributed as follows:

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

397 (2) If the amounts deposited pursuant to subsection (1) are
398 less than 33 percent of all taxes collected after first
399 deducting the costs of collection, an amount equal to 33 percent
400 of all taxes collected after first deducting the costs of
401 collection, minus the amounts deposited pursuant to subsection
402 (1), shall be deposited into the Land Acquisition Trust Fund.

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

406 (a) Payment of ~~Amounts necessary to pay the~~ debt service

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407 ~~en, or funding of fund debt service reserve funds, rebate~~
408 ~~obligations, or other amounts payable with respect to~~
409 ~~Preservation 2000 bonds issued pursuant to s. 375.051 and~~
410 ~~Florida Forever bonds issued pursuant to s. 215.618, shall be~~
411 ~~paid into the State Treasury to the credit of the Land~~
412 ~~Acquisition Trust Fund to be used for such purposes. The amount~~
413 ~~used for such purposes transferred to the Land Acquisition Trust~~
414 ~~Fund may not exceed \$300 million in each fiscal year 1999-2000~~
415 ~~and thereafter for Preservation 2000 bonds and bonds issued to~~
416 ~~refund Preservation 2000 bonds, and \$300 million in fiscal year~~
417 ~~2000-2001 and thereafter for Florida Forever bonds. The annual~~
418 ~~amount transferred to the Land Acquisition Trust Fund for~~
419 ~~Florida Forever bonds may not exceed \$30 million in the first~~
420 ~~fiscal year in which bonds are issued. The limitation on the~~
421 ~~amount transferred shall be increased by an additional \$30~~
422 ~~million in each subsequent fiscal year, but may not exceed a~~
423 ~~total of \$300 million in any fiscal year for all bonds issued.~~
424 ~~It is the intent of the Legislature that all bonds issued to~~
425 ~~fund the Florida Forever Act be retired by December 31, 2040.~~
426 ~~Except for bonds issued to refund previously issued bonds, no~~
427 ~~series of bonds may be issued pursuant to this paragraph unless~~
428 ~~such bonds are approved and the debt service for the remainder~~
429 ~~of the fiscal year in which the bonds are issued is specifically~~
430 ~~appropriated in the General Appropriations Act. For purposes of~~
431 ~~refunding Preservation 2000 bonds, amounts designated within~~
432 ~~this section for Preservation 2000 and Florida Forever bonds may~~
433 ~~be transferred between the two programs to the extent provided~~
434 ~~for in the documents authorizing the issuance of the bonds. The~~
435 ~~Preservation 2000 bonds and Florida Forever bonds are equally~~

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436 ~~and ratably secured by moneys distributable to the Land~~
437 ~~Acquisition Trust Fund pursuant to this section, except as~~
438 ~~specifically provided otherwise by the documents authorizing the~~
439 ~~issuance of the bonds. Moneys transferred to the Land~~
440 ~~Acquisition Trust Fund pursuant to this paragraph, or earnings~~
441 ~~thereon, may not be used or made available to pay debt service~~
442 ~~on the Save Our Coast revenue bonds.~~

443 ~~(b) Payment of Moneys shall be paid into the State Treasury~~
444 ~~to the credit of the Save Our Everglades Trust Fund in amounts~~
445 ~~necessary to pay debt service, or funding of debt service~~
446 ~~reserve funds provide reserves, and pay rebate obligations, or~~
447 ~~and other amounts due with respect to Everglades restoration~~
448 ~~bonds issued pursuant to under s. 215.619. Taxes distributed~~
449 ~~under paragraph (a) and this paragraph must be collectively~~
450 ~~distributed on a pro rata basis when the available moneys under~~
451 ~~this subsection are not sufficient to cover the amounts required~~
452 ~~under paragraph (a) and this paragraph.~~

453
454 Bonds issued pursuant to s. 215.618 or s. 215.619 are equally
455 and ratably secured by moneys distributable to the Land
456 Acquisition Trust Fund.

457 ~~(4)(e) After the required distributions to the Land~~
458 ~~Acquisition Trust Fund pursuant to subsections (1) and (2) and~~
459 ~~deduction of the service charge imposed pursuant to s. 215.20(1)~~
460 ~~payments under paragraphs (a) and (b), the remainder shall be~~
461 ~~distributed as follows paid into the State Treasury to the~~
462 ~~credit of:~~

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

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465 percent of the remainder or \$541.75 million in each fiscal year
466 shall be paid into the State Treasury to the credit of the State
467 Transportation Trust Fund. ~~Out~~ Of such funds, ~~the first \$50~~
468 ~~million for the 2012-2013 fiscal year; \$65 million for the 2013-~~
469 ~~2014 fiscal year; and \$75 million for each the 2014-2015 fiscal~~
470 ~~year and all subsequent years,~~ shall be transferred to the State
471 Economic Enhancement and Development Trust Fund within the
472 Department of Economic Opportunity. Notwithstanding any other
473 law, the remaining amount credited to the State Transportation
474 Trust Fund shall ~~remainder is to be used for the following~~
475 ~~specified purposes, notwithstanding any other law to the~~
476 ~~contrary:~~

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

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

485 3.c. ~~For the purposes of~~ The Strategic Intermodal System
486 specified in ss. 339.61, 339.62, 339.63, and 339.64, in the
487 amount of 75 percent of the these funds after deduction of the
488 payments required pursuant to subparagraphs 1. and 2. allocating
489 ~~for the New Starts Transit Program described in sub-subparagraph~~
490 ~~a. and the Small County Outreach Program described in sub-~~
491 ~~subparagraph b.; and~~

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

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494 percent of ~~the these~~ funds after deduction of the payments
495 required pursuant to subparagraphs 1. and 2. ~~allocating for the~~
496 ~~New Starts Transit Program described in sub-subparagraph a. and~~
497 ~~the Small County Outreach Program described in sub-subparagraph~~
498 ~~b. Effective July 1, 2014,~~ The first \$60 million of the funds
499 allocated pursuant to this subparagraph ~~sub-subparagraph~~ shall
500 be allocated annually to the Florida Rail Enterprise for the
501 purposes established in s. 341.303(5).

502 ~~(b)2. The Grants and Donations Trust Fund in the Department~~
503 ~~of Economic Opportunity in the amount of~~ The lesser of 0.1456
504 ~~.23~~ percent of the remainder or \$3.25 million in each fiscal
505 year shall be paid into the State Treasury to the credit of the
506 Grants and Donations Trust Fund in the Department of Economic
507 Opportunity to fund technical assistance to local governments.

508 ~~3. The Ecosystem Management and Restoration Trust Fund in~~
509 ~~the amount of the lesser of 2.12 percent of the remainder or \$30~~
510 ~~million in each fiscal year, to be used for the preservation and~~
511 ~~repair of the state's beaches as provided in ss. 161.091-~~
512 ~~161.212.~~

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

517
518 Moneys distributed pursuant to paragraphs (a) and (b) ~~this~~
519 ~~paragraph~~ may not be pledged for debt service unless such pledge
520 is approved by referendum of the voters.

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

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523 ~~the credit of the General Revenue Fund to be used and expended~~
524 ~~for the purposes for which the General Revenue Fund was created~~
525 ~~and exists by law.~~

526 ~~(2) The lesser of 7.56 percent of the remaining taxes or~~
527 ~~\$84.9 million in each fiscal year shall be distributed as~~
528 ~~follows:~~

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

532 ~~(b) The remainder shall be paid into the State Treasury to~~
533 ~~the credit of the Land Acquisition Trust Fund. Sums deposited in~~
534 ~~the fund pursuant to this subsection may be used for any purpose~~
535 ~~for which funds deposited in the Land Acquisition Trust Fund may~~
536 ~~lawfully be used.~~

537 ~~(3) (a) The lesser of 1.94 percent of the remaining taxes or~~
538 ~~\$26 million in each fiscal year shall be distributed in the~~
539 ~~following order:~~

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

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

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

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

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552 ~~lands and to develop and manage lands acquired with moneys from~~
553 ~~the trust fund.~~

554 ~~(4) The lesser of 4.2 percent of the remaining taxes or~~
555 ~~\$60.5 million in each fiscal year shall be paid into the State~~
556 ~~Treasury to the credit of the Water Management Lands Trust Fund.~~
557 ~~Sums deposited in that fund may be used for any purpose~~
558 ~~authorized in s. 373.59. An amount equal to the amounts~~
559 ~~necessary to pay debt service or to fund debt service reserve~~
560 ~~funds, rebate obligations, or other amounts payable with respect~~
561 ~~to bonds authorized pursuant to s. 215.619(1)(a)2. and the~~
562 ~~proviso associated with Specific Appropriation 1626A of the~~
563 ~~2014-2015 General Appropriations Act shall be transferred~~
564 ~~annually from the Water Management Lands Trust Fund to the~~
565 ~~General Revenue Fund.~~

566 ~~(5) Of the remaining taxes, 3.52 percent shall be paid into~~
567 ~~the State Treasury to the credit of the Conservation and~~
568 ~~Recreation Lands Trust Fund to carry out the purposes set forth~~
569 ~~in s. 259.032. Eleven and fifteen hundredths percent of the~~
570 ~~amount credited to the Conservation and Recreation Lands Trust~~
571 ~~Fund pursuant to this subsection shall be transferred to the~~
572 ~~State Game Trust Fund and used for land management activities.~~

573 ~~(6) The lesser of 2.28 percent of the remaining taxes or~~
574 ~~\$34.1 million in each fiscal year shall be paid into the State~~
575 ~~Treasury to the credit of the Invasive Plant Control Trust Fund~~
576 ~~to carry out the purposes set forth in ss. 369.22 and 369.252.~~

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

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581 ~~2020 Program.~~

582 ~~(8) One half of one percent of the remaining taxes shall be~~
583 ~~paid into the State Treasury and divided equally to the credit~~
584 ~~of the Department of Environmental Protection Water Quality~~
585 ~~Assurance Trust Fund to address water quality impacts associated~~
586 ~~with nonagricultural nonpoint sources and to the credit of the~~
587 ~~Department of Agriculture and Consumer Services General~~
588 ~~Inspection Trust Fund to address water quality impacts~~
589 ~~associated with agricultural nonpoint sources, respectively.~~
590 ~~These funds shall be used for research, development,~~
591 ~~demonstration, and implementation of suitable best management~~
592 ~~practices or other measures used to achieve water quality~~
593 ~~standards in surface waters and water segments identified~~
594 ~~pursuant to ss. 303(d) of the Clean Water Act, Pub. L. No. 92-~~
595 ~~500, 33 U.S.C. ss. 1251 et seq. Implementation of best~~
596 ~~management practices and other measures may include cost share~~
597 ~~grants, technical assistance, implementation tracking, and~~
598 ~~conservation leases or other agreements for water quality~~
599 ~~improvement. The Department of Environmental Protection and the~~
600 ~~Department of Agriculture and Consumer Services may adopt rules~~
601 ~~governing the distribution of funds for implementation of best~~
602 ~~management practices. The unobligated balance of funds received~~
603 ~~from the distribution of taxes collected under this chapter to~~
604 ~~address water quality impacts associated with nonagricultural~~
605 ~~nonpoint sources must be excluded when calculating the~~
606 ~~unobligated balance of the Water Quality Assurance Trust Fund as~~
607 ~~it relates to the determination of the applicable excise tax~~
608 ~~rate.~~

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

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610 hundredths percent of the remainder ~~remaining taxes~~ in each
611 fiscal year shall be paid into the State Treasury to the credit
612 of the State Housing Trust Fund. ~~Out~~ Of such funds, ~~beginning in~~
613 ~~the 2012-2013 fiscal year~~, the first \$35 million shall be
614 transferred annually, subject to any distribution required under
615 subsection (5) ~~(15)~~, to the State Economic Enhancement and
616 Development Trust Fund within the Department of Economic
617 Opportunity. The remainder shall be used as follows:

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

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

625 (d) ~~(10)~~ Twelve and ninety-three ~~Eight and sixty-six~~
626 hundredths percent of the remainder ~~remaining taxes~~ in each
627 fiscal year shall be paid into the State Treasury to the credit
628 of the State Housing Trust Fund. ~~Out~~ Of such funds, ~~beginning in~~
629 ~~the 2012-2013 fiscal year~~, the first \$40 million shall be
630 transferred annually, subject to any distribution required under
631 subsection (5) ~~(15)~~, to the State Economic Enhancement and
632 Development Trust Fund within the Department of Economic
633 Opportunity. The remainder shall be used as follows:

634 1. ~~(a)~~ Twelve and one-half percent of that amount shall be
635 deposited into the State Housing Trust Fund and ~~be~~ expended by
636 the Department of Economic Opportunity and ~~by~~ the Florida
637 Housing Finance Corporation for the purposes for which the State
638 Housing Trust Fund was created and exists by law.

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639 ~~2.(b)~~ Eighty-seven and one-half percent of that amount
640 shall be distributed to the Local Government Housing Trust Fund
641 and used for the purposes for which the Local Government Housing
642 Trust Fund was created and exists by law. Funds from this
643 category may also be used to provide for state and local
644 services to assist the homeless.

645 (e) The lesser of 0.017 percent of the remainder or
646 \$300,000 in each fiscal year shall be paid into the State
647 Treasury to the credit of the General Inspection Trust Fund to
648 be used to fund oyster management and restoration programs as
649 provided in s. 379.362 (3).

650 ~~(11) The distribution of proceeds deposited into the Water~~
651 ~~Management Lands Trust Fund and the Conservation and Recreation~~
652 ~~Lands Trust Fund, pursuant to subsections (4) and (5), may not~~
653 ~~be used for land acquisition but may be used for preacquisition~~
654 ~~costs associated with land purchases. The Legislature intends~~
655 ~~that the Florida Forever program supplant the acquisition~~
656 ~~programs formerly authorized under ss. 259.032 and 373.59.~~

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

660 ~~(13) In each fiscal year that the remaining taxes exceed~~
661 ~~collections in the prior fiscal year, the stated maximum dollar~~
662 ~~amounts provided in subsections (2), (4), (6), and (7) shall~~
663 ~~each be increased by an amount equal to 10 percent of the~~
664 ~~increase in the remaining taxes collected under this chapter~~
665 ~~multiplied by the applicable percentage provided in those~~
666 ~~subsections.~~

667 ~~(14) If the payment requirements in any year for bonds~~

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668 ~~outstanding on July 1, 2007, or bonds issued to refund such~~
669 ~~bonds, exceed the limitations of this section, distributions to~~
670 ~~the trust fund from which the bond payments are made must be~~
671 ~~increased to the lesser of the amount needed to pay bond~~
672 ~~obligations or the limit of the applicable percentage~~
673 ~~distribution provided in subsections (1)-(10).~~

674 (5) ~~(15)~~ Distributions to the State Housing Trust Fund
675 pursuant to paragraphs (4) (c) and (d) subsections (9) and (10)
676 must be sufficient to cover amounts required to be transferred
677 to the Florida Affordable Housing Guarantee Program's annual
678 debt service reserve and guarantee fund pursuant to s.
679 420.5092 (6) (a) and (b) up to the amount required to be
680 transferred to such reserve and fund based on the percentage
681 distribution of documentary stamp tax revenues to the State
682 Housing Trust Fund which is in effect in the 2004-2005 fiscal
683 year.

684 ~~(16)~~ ~~If amounts necessary to pay debt service or any other~~
685 ~~amounts payable with respect to Preservation 2000 bonds, Florida~~
686 ~~Forever bonds, or Everglades Restoration bonds authorized before~~
687 ~~January 1, 2015, exceed the amounts distributable pursuant to~~
688 ~~subsection (1), all moneys distributable pursuant to this~~
689 ~~section are available for such obligations and transferred in~~
690 ~~the amounts necessary to pay such obligations when due. However,~~
691 ~~amounts distributable pursuant to subsection (2), subsection~~
692 ~~(3), subsection (4), subsection (5), paragraph (9) (a), or~~
693 ~~paragraph (10) (a) are not available to pay such obligations to~~
694 ~~the extent that such moneys are necessary to pay debt service on~~
695 ~~bonds secured by revenues pursuant to those provisions.~~

696 (6) ~~(17)~~ After the distributions provided in the preceding

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697 subsections, any remaining taxes shall be paid into the State
698 Treasury to the credit of the General Revenue Fund.

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

701 211.3103 Levy of tax on severance of phosphate rock; rate,
702 basis, and distribution of tax.—

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

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

710 2. To the credit of the General Revenue Fund of the state,
711 35.7 percent.

712 3. For payment to counties in proportion to the number of
713 tons of phosphate rock produced from a phosphate rock matrix
714 located within such political boundary, 12.8 percent. The
715 department shall distribute this portion of the proceeds
716 annually based on production information reported by the
717 producers on the annual returns for the taxable year. Any such
718 proceeds received by a county shall be used only for phosphate-
719 related expenses.

720 4. For payment to counties that have been designated as a
721 rural area of opportunity pursuant to s. 288.0656 in proportion
722 to the number of tons of phosphate rock produced from a
723 phosphate rock matrix located within such political boundary,
724 10.0 percent. The department shall distribute this portion of
725 the proceeds annually based on production information reported

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726 by the producers on the annual returns for the taxable year.
727 Payments under this subparagraph shall be made to the counties
728 unless the Legislature by special act creates a local authority
729 to promote and direct the economic development of the county. If
730 such authority exists, payments shall be made to that authority.

731 5. To the credit of the Nonmandatory Land Reclamation Trust
732 Fund, 6.2 percent.

733 6. To the credit of the Phosphate Research Trust Fund in
734 the Division of Universities of the Department of Education, 6.2
735 percent.

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

737 (b) Notwithstanding paragraph (a), from July ~~January~~ 1,
738 2015, until December 31, 2022, the proceeds of all taxes,
739 interest, and penalties imposed under this section are exempt
740 from the general revenue service charge provided in s. 215.20,
741 and such proceeds shall be paid to the State Treasury as
742 follows:

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

745 2. To the credit of the General Revenue Fund of the state,
746 31.9 percent.

747 3. For payment to counties pursuant to subparagraph (a)3.,
748 11.5 percent.

749 4. For payment to counties pursuant to subparagraph (a)4.,
750 8.9 percent.

751 5. To the credit of the Nonmandatory Land Reclamation Trust
752 Fund, 16.1 percent.

753 6. To the credit of the Phosphate Research Trust Fund in
754 the Division of Universities of the Department of Education, 5.6

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755 percent.

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

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

759 215.20 Certain income and certain trust funds to contribute
760 to the General Revenue Fund.—

761 (2) Notwithstanding the provisions of subsection (1), the
762 trust funds of the Department of Citrus and the Department of
763 Agriculture and Consumer Services, including funds collected in
764 the General Inspection Trust Fund for marketing orders and in
765 the Florida Citrus Advertising Trust Fund, shall be subject to a
766 4 percent service charge, which is hereby appropriated to the
767 General Revenue Fund. This subsection ~~paragraph~~ does not apply
768 to ~~the Conservation and Recreation Lands Program Trust Fund~~, the
769 Citrus Inspection Trust Fund, the Florida Forever Program Trust
770 Fund, the Market Improvements Working Capital Trust Fund, the
771 Pest Control Trust Fund, the Plant Industry Trust Fund, or other
772 funds collected in the General Inspection Trust Fund in the
773 Department of Agriculture and Consumer Services.

774 Section 12. Paragraph (a) of subsection (1) and subsections
775 (2), (3), and (6) of section 215.618, Florida Statutes, are
776 amended to read:

777 215.618 Bonds for acquisition and improvement of land,
778 water areas, and related property interests and resources.—

779 (1) (a) The issuance of Florida Forever bonds, not to exceed
780 \$5.3 billion, to finance or refinance the cost of acquisition
781 and improvement of land, water areas, and related property
782 interests and resources, in urban and rural settings, for the
783 purposes of restoration, conservation, recreation, water

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784 resource development, or historical preservation, and for
785 capital improvements to lands and water areas that accomplish
786 environmental restoration, enhance public access and
787 recreational enjoyment, promote long-term management goals, and
788 facilitate water resource development is hereby authorized,
789 subject to ~~the provisions of s. 259.105 and pursuant to s.~~
790 11(e), Art. VII of the State Constitution and, on or after July
791 1, 2015, to also finance or refinance the acquisition and
792 improvement of land, water areas, and related property interests
793 as provided in s. 28, Art. X of the State Constitution. Florida
794 ~~Forever bonds may also be issued to refund Preservation 2000~~
795 ~~bonds issued pursuant to s. 375.051.~~ The \$5.3 billion limitation
796 on the issuance of Florida Forever bonds does not apply to
797 refunding bonds. The duration of each series of Florida Forever
798 bonds issued may not exceed 20 annual maturities. Not more than
799 58.25 percent of documentary stamp taxes collected may be taken
800 into account for the purpose of satisfying an additional bonds
801 test set forth in any authorizing resolution for bonds issued on
802 or after July 1, 2015 ~~Preservation 2000 bonds and Florida~~
803 ~~Forever bonds shall be equally and ratably secured by moneys~~
804 ~~distributable to the Land Acquisition Trust Fund pursuant to s.~~
805 ~~201.15(1)(a), except to the extent specifically provided~~
806 ~~otherwise by the documents authorizing the issuance of the~~
807 ~~bonds.~~

808 (2) The state covenants ~~does hereby covenant~~ with the
809 holders of Florida Forever bonds and ~~Preservation 2000 bonds~~
810 that it will not take any action which will materially and
811 adversely affect the rights of such holders so long as such
812 bonds are outstanding, including, but not limited to, a

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813 reduction in the portion of documentary stamp taxes
814 distributable to the Land Acquisition Trust Fund for payment of
815 debt service on ~~Preservation 2000 bonds or Florida Forever~~
816 ~~bonds.~~

817 (3) Bonds issued pursuant to this section are ~~shall be~~
818 payable from taxes distributable to the Land Acquisition Trust
819 Fund pursuant to s. 201.15 ~~s. 201.15(1)(a)~~. Bonds issued
820 pursuant to this section do ~~shall~~ not constitute a general
821 obligation of, or a pledge of the full faith and credit of, the
822 state.

823 ~~(6) Pursuant to authority granted by s. 11(e), Art. VII of~~
824 ~~the State Constitution, there is hereby continued and re-created~~
825 ~~the Land Acquisition Trust Fund which shall be a continuation of~~
826 ~~the Land Acquisition Trust Fund which exists for purposes of s.~~
827 ~~9(a)(1), Art. XII of the State Constitution. The Land~~
828 ~~Acquisition Trust Fund shall continue beyond the termination of~~
829 ~~bonding authority provided for in s. 9(a)(1), Art. XII of the~~
830 ~~State Constitution, pursuant to the authority provided by s.~~
831 ~~11(e), Art. VII of the State Constitution and shall continue for~~
832 ~~so long as Preservation 2000 bonds or Florida Forever bonds are~~
833 ~~outstanding and secured by taxes distributable thereto.~~

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

837 215.619 Bonds for Everglades restoration.—

838 (1) The issuance of Everglades restoration bonds to finance
839 or refinance the cost of the acquisition and improvement of
840 land, water areas, and related property interests and resources
841 for the purpose of implementing the Comprehensive Everglades

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842 Restoration Plan under s. 373.470, the Lake Okeechobee Watershed
843 Protection Plan under s. 373.4595, the Caloosahatchee River
844 Watershed Protection Plan under s. 373.4595, the St. Lucie River
845 Watershed Protection Plan under s. 373.4595, and the Florida
846 Keys Area of Critical State Concern protection program under ss.
847 380.05 and 380.0552 in order to restore and conserve natural
848 systems through the implementation of water management projects,
849 including wastewater management projects identified in the Keys
850 Wastewater Plan, dated November 2007, and submitted to the
851 Florida House of Representatives on December 4, 2007, is
852 authorized in accordance with s. 11(e), Art. VII of the State
853 Constitution.

854 (b) The duration of Everglades restoration bonds may not
855 exceed 20 annual maturities and must mature by December 31,
856 2040. Except for refunding bonds, a series of bonds may not be
857 issued unless an amount equal to the debt service coming due in
858 the year of issuance has been appropriated by the Legislature.
859 Not more than 58.25 percent of documentary stamp taxes collected
860 may be taken into account for the purpose of satisfying an
861 additional bonds test set forth in any authorizing resolution
862 for bonds issued on or after July 1, 2015. Beginning July 1,
863 2010, the Legislature shall analyze the ratio of the state's
864 debt to projected revenues before authorizing the issuance of
865 bonds under this section.

866 (2) The state covenants with the holders of Everglades
867 restoration bonds that it will not take any action that will
868 materially and adversely affect the rights of the holders so
869 long as the bonds are outstanding, including, but not limited
870 to, a reduction in the portion of documentary stamp taxes

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871 distributable under s. 205.15 ~~s. 201.15(1)~~ for payment of debt
872 service on ~~Preservation 2000 bonds,~~ Florida Forever bonds, or
873 Everglades restoration bonds.

874 (3) Everglades restoration bonds are payable from, and
875 secured by a first lien on, taxes distributable under s. 201.15
876 ~~s. 201.15(1)(b)~~ and do not constitute a general obligation of,
877 or a pledge of the full faith and credit of, the state.
878 Everglades restoration bonds shall be secured on a parity basis
879 with Florida Forever bonds issued pursuant to s. 215.618 ~~secured~~
880 ~~by moneys distributable under s. 201.15(1)(a).~~

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

883 253.027 Emergency archaeological property acquisition.—

884 (5) ACCOUNT EXPENDITURES.—

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

888 1. The property is an archaeological property of major
889 statewide significance.

890 2. The structures, artifacts, or relics, or their historic
891 significance, will be irretrievably lost if the state cannot
892 acquire the property.

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

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

899 5. The site is not otherwise protected by local, state, or

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900 federal laws.

901 6. The acquisition is not inconsistent with the state
902 comprehensive plan and the state land acquisition program.

903 (b) No moneys shall be spent from the account for
904 excavation or restoration of the properties acquired. Funds may
905 be spent for preliminary surveys to determine if the sites meet
906 the criteria of this section. An amount not to exceed \$100,000
907 may also be spent from the account to inventory and evaluate
908 archaeological and historic resources on properties purchased,
909 or proposed for purchase, pursuant to s. 259.105(3)(b) ~~s.~~
910 ~~259.032~~.

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

913 253.03 Board of trustees to administer state lands; lands
914 enumerated.—

915 (12) The Board of Trustees of the Internal Improvement
916 Trust Fund is hereby authorized to administer, manage, control,
917 conserve, protect, and sell all real property forfeited to the
918 state pursuant to ss. 895.01-895.09 or acquired by the state
919 pursuant to s. 607.0505 or former s. 620.192. The board is
920 directed to immediately determine the value of all such property
921 and shall ascertain whether the property is in any way
922 encumbered. If the board determines that it is in the best
923 interest of the state to do so, funds from the Internal
924 Improvement Trust Fund may be used to satisfy any such
925 encumbrances. If forfeited property receipts are not sufficient
926 to satisfy encumbrances on the property and expenses permitted
927 under this section, funds from another appropriate ~~the Land~~
928 ~~Acquisition~~ trust fund may be used to satisfy any such

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929 encumbrances and expenses. All property acquired by the board
930 pursuant to s. 607.0505, former s. 620.192, or ss. 895.01-895.09
931 shall be sold as soon as commercially feasible unless the
932 Attorney General recommends and the board determines that
933 retention of the property in public ownership would effectuate
934 one or more of the following policies of statewide significance:
935 protection or enhancement of floodplains, marshes, estuaries,
936 lakes, rivers, wilderness areas, wildlife areas, wildlife
937 habitat, or other environmentally sensitive natural areas or
938 ecosystems; or preservation of significant archaeological or
939 historical sites identified by the Secretary of State. In such
940 event the property shall remain in the ownership of the board,
941 to be controlled, managed, and disposed of in accordance with
942 this chapter, and the Internal Improvement Trust Fund shall be
943 reimbursed from the Land Acquisition Trust Fund, or other
944 appropriate fund designated by the board, for any funds expended
945 from the Internal Improvement Trust Fund pursuant to this
946 subsection in regard to such property. Upon the recommendation
947 of the Attorney General, the board may reimburse the
948 investigative agency for its investigative expenses, costs, and
949 attorneys' fees, and may reimburse law enforcement agencies for
950 actual expenses incurred in conducting investigations leading to
951 the forfeiture of such property from funds deposited in the
952 Internal Improvement Trust Fund of the Department of
953 Environmental Protection. The proceeds of the sale of property
954 acquired under s. 607.0505, former s. 620.192, or ss. 895.01-
955 895.09 shall be distributed as follows:

956 (a) After satisfaction of any valid claims arising under
957 ~~the provisions of~~ s. 895.09(1) (a) or (b), any moneys used to

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958 satisfy encumbrances and expended as costs of administration,
959 appraisal, management, conservation, protection, sale, and real
960 estate sales services and any interest earnings lost to the ~~Land~~
961 ~~Acquisition~~ trust fund that was used as of a date certified by
962 the Department of Environmental Protection shall be replaced
963 first in the ~~Land Acquisition~~ trust fund that was used to
964 satisfy any such encumbrance or expense, if those funds were
965 used, and then in the Internal Improvement Trust Fund; and

966 (b) The remainder shall be distributed as set forth in s.
967 895.09.

968 Section 16. Subsection (3), paragraphs (a) and (k) through
969 (n) of subsection (6), and subsections (10) and (11) of section
970 253.034, Florida Statutes, are amended to read:

971 253.034 State-owned lands; uses.—

972 (3) Recognizing ~~In recognition~~ that recreational trails
973 purchased with rails-to-trails funds pursuant to former s.
974 259.101(3)(g), Florida Statutes 2014, or s. 259.105(3)(h) have
975 had historic transportation uses and that their linear character
976 may extend many miles, the Legislature intends that if ~~when~~ the
977 necessity arises to serve public needs, after balancing the need
978 to protect trail users from collisions with automobiles and a
979 preference for the use of overpasses and underpasses to the
980 greatest extent feasible and practical, transportation uses
981 shall be allowed to cross recreational trails purchased pursuant
982 to former s. 259.101(3)(g), Florida Statutes 2014, or s.
983 259.105(3)(h). When these crossings are needed, the location and
984 design should consider and mitigate the impact on humans and
985 environmental resources, and the value of the land shall be paid
986 based on fair market value.

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987 (6) The Board of Trustees of the Internal Improvement Trust
988 Fund shall determine which lands, the title to which is vested
989 in the board, may be surplus. For conservation lands, the
990 board shall determine whether the lands are no longer needed for
991 conservation purposes and may dispose of them by an affirmative
992 vote of at least three members. In the case of a land exchange
993 involving the disposition of conservation lands, the board must
994 determine by an affirmative vote of at least three members that
995 the exchange will result in a net positive conservation benefit.
996 For all other lands, the board shall determine whether the lands
997 are no longer needed and may dispose of them by an affirmative
998 vote of at least three members.

999 (a) For the purposes of this subsection, all lands acquired
1000 by the state before July 1, 1999, using proceeds from
1001 Preservation 2000 bonds, the former Conservation and Recreation
1002 Lands Trust Fund, the former Water Management Lands Trust Fund,
1003 Environmentally Endangered Lands Program, and the Save Our Coast
1004 Program and titled to the board which are identified as core
1005 parcels or within original project boundaries are deemed to have
1006 been acquired for conservation purposes.

1007 (k) Proceeds from the any sale of surplus conservation
1008 lands purchased before July 1, 2015, ~~pursuant to this subsection~~
1009 shall be deposited into the Florida Forever Trust Fund ~~from~~
1010 ~~which such lands were acquired.~~

1011 (l) Proceeds from the sale of surplus conservation lands
1012 purchased on or after July 1, 2015, shall be deposited into the
1013 Land Acquisition Trust Fund, except when such lands were
1014 purchased with funds other than those from the Land Acquisition
1015 Trust Fund or a land acquisition trust fund created to implement

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1016 s. 28, Art. X of the State Constitution, the proceeds shall be
1017 deposited into the fund from which the lands were purchased
1018 ~~However, if the fund from which the lands were originally~~
1019 ~~acquired no longer exists, such proceeds shall be deposited into~~
1020 ~~an appropriate account to be used for land management by the~~
1021 ~~lead managing agency assigned the lands before the lands were~~
1022 ~~declared surplus.~~

1023 (m) Funds received from the sale of surplus nonconservation
1024 lands, or lands that were acquired by gift, by donation, or for
1025 no consideration, shall be deposited into the Internal
1026 Improvement Trust Fund.

1027 (n) ~~(l)~~ Notwithstanding this subsection, such disposition of
1028 land may not be made if it would have the effect of causing all
1029 or any portion of the interest on any revenue bonds issued to
1030 lose the exclusion from gross income for federal income tax
1031 purposes.

1032 (o) ~~(m)~~ The sale of filled, formerly submerged land that
1033 does not exceed 5 acres in area is not subject to review by the
1034 council or its successor.

1035 (p) ~~(n)~~ The board may adopt rules to administer this section
1036 which may include procedures for administering surplus land
1037 requests and criteria for when the division may approve requests
1038 to surplus nonconservation lands on behalf of the board.

1039 (10) The following additional uses of conservation lands
1040 acquired pursuant to the Florida Forever program and other
1041 state-funded conservation land purchase programs shall be
1042 authorized, upon a finding by the board of trustees, if they
1043 meet the criteria specified in paragraphs (a)-(e): water
1044 resource development projects, water supply development

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1045 projects, stormwater management projects, linear facilities, and
1046 sustainable agriculture and forestry. Such additional uses are
1047 authorized where:

1048 (a) Not inconsistent with the management plan for such
1049 lands;

1050 (b) Compatible with the natural ecosystem and resource
1051 values of such lands;

1052 (c) The proposed use is appropriately located on such lands
1053 and where due consideration is given to the use of other
1054 available lands;

1055 (d) The using entity reasonably compensates the titleholder
1056 for such use based upon an appropriate measure of value; and

1057 (e) The use is consistent with the public interest.

1058
1059 A decision by the board of trustees pursuant to this section
1060 shall be given a presumption of correctness. Moneys received
1061 from the use of state lands pursuant to this section shall be
1062 returned to the lead managing entity in accordance with s.
1063 259.032(9)(c) ~~the provisions of s. 259.032(11)(e).~~

1064 (11) Lands listed as projects for acquisition may be
1065 managed for conservation pursuant to s. 259.032, on an interim
1066 basis by a private party in anticipation of a state purchase in
1067 accordance with a contractual arrangement between the acquiring
1068 agency and the private party that may include management service
1069 contracts, leases, cost-share arrangements or resource
1070 conservation agreements. Lands designated as eligible under this
1071 subsection shall be managed to maintain or enhance the resources
1072 the state is seeking to protect by acquiring the land. Funding
1073 for these contractual arrangements may originate from the

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1074 documentary stamp tax revenue deposited into the Land
1075 Acquisition Conservation and Recreation Lands Trust Fund and
1076 Water Management Lands Trust Fund. No more than \$6.2 million may
1077 be expended from the Land Acquisition Trust Fund ~~5 percent of~~
1078 ~~funds allocated under the trust funds shall be expended~~ for this
1079 purpose.

1080 Section 17. Section 253.7824, Florida Statutes, is amended
1081 to read:

1082 253.7824 Sale of products; proceeds.—The department may
1083 authorize the removal and sale of products from the land where
1084 environmentally appropriate, the proceeds from which shall be
1085 deposited into the appropriate in the Land Acquisition trust
1086 fund in accordance with the same disposition provided under s.
1087 253.034(6)(k), (l), or (m) applicable to the sale of land.

1088 Section 18. Paragraph (b) of subsection (3) of section
1089 258.015, Florida Statutes, is amended to read:

1090 258.015 Citizen support organizations; use of property;
1091 audit.—

1092 (3) PARTNERSHIPS IN PARKS.—

1093 (b) The Legislature may annually appropriate funds from the
1094 Land Acquisition Trust Fund for use only as state matching
1095 funds, in conjunction with private donations in aggregates of at
1096 least \$60,000 matched by \$40,000 of state funds for a total
1097 minimum project amount of \$100,000 for capital improvement
1098 facility development at state parks, at either individually
1099 designated parks or for priority projects within the overall
1100 state park system. Not more than 30 percent of the Land
1101 Acquisition Trust Fund unencumbered fund balance or \$3 million,
1102 whichever is less, shall be reserved, available annually for

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1103 matching private donations. The amount held in reserve for the
1104 state match will be no greater than \$6 million for any fiscal
1105 year. State funds from the Land Acquisition Trust Fund or other
1106 appropriate funding sources shall be used for matching private
1107 donations for 40 percent of the projects' costs. Funds held in
1108 reserve for the purposes of this subsection shall be available
1109 only after the requirements of s. 375.041(4) ~~s. 375.041(3)~~ are
1110 met. Citizen support organizations organized and operating for
1111 the benefit of state parks may acquire private donations
1112 pursuant to this section, and matching state funds for approved
1113 projects may be provided in accordance with this subsection. The
1114 department is authorized to properly recognize and honor a
1115 private donor by placing a plaque or other appropriate
1116 designation noting the contribution on project facilities or by
1117 naming project facilities after the person or organization that
1118 provided matching funds. The department is authorized to adopt
1119 necessary administrative rules to carry out the purposes of this
1120 subsection.

1121 Section 19. Subsections (1) and (2) of section 258.435,
1122 Florida Statutes, are amended to read:

1123 258.435 Use of aquatic preserves for the accommodation of
1124 visitors.—

1125 (1) The Department of Environmental Protection shall
1126 promote the public use of aquatic preserves and their associated
1127 uplands. The department may receive gifts and donations to carry
1128 out the purpose of this part. Moneys received in trust by the
1129 department by gift, devise, appropriation, or otherwise, subject
1130 to the terms of such trust, shall be deposited into the Grants
1131 and Donations ~~Land Acquisition~~ Trust Fund and appropriated to

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1132 the department for the administration, development, improvement,
1133 promotion, and maintenance of aquatic preserves and their
1134 associated uplands and for any future acquisition or development
1135 of aquatic preserves and their associated uplands.

1136 (2) The department may grant a privilege or concession for
1137 the accommodation of visitors in and use of aquatic preserves
1138 and their associated state-owned uplands if the privilege or
1139 concession does not deny or interfere with the public's access
1140 to such lands and is compatible with the aquatic preserve's
1141 management plan as approved by the Acquisition and Restoration
1142 Council. Moneys received by the department under this subsection
1143 shall be deposited into the Internal Improvement Trust Fund. A
1144 concession must be granted based on business plans,
1145 qualifications, approach, and specified expectations or
1146 criteria. A privilege or concession may not be assigned or
1147 transferred by the grantee without the consent of the
1148 department.

1149 Section 20. Section 259.032, Florida Statutes, is amended
1150 to read:

1151 259.032 Conservation and recreation lands ~~Trust Fund;~~
1152 ~~purpose.~~—

1153 (1) It is the policy of the state that the citizens of this
1154 state shall be assured public ownership of natural areas for
1155 purposes of maintaining this state's unique natural resources;
1156 protecting air, land, and water quality; promoting water
1157 resource development to meet the needs of natural systems and
1158 citizens of this state; promoting restoration activities on
1159 public lands; and providing lands for natural resource based
1160 recreation. In recognition of this policy, it is the intent of

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1161 the Legislature to provide such public lands for the people
1162 residing in urban and metropolitan areas of the state, as well
1163 as those residing in less populated, rural areas. It is the
1164 further intent of the Legislature, with regard to the lands
1165 described in paragraph (2) (c) ~~(3) (e)~~, that a high priority be
1166 given to the acquisition, restoration, and management of such
1167 lands in or near counties exhibiting the greatest concentration
1168 of population and, with regard to the lands described in
1169 subsection (2) ~~(3)~~, that a high priority be given to acquiring
1170 lands or rights or interests in lands that advance the goals and
1171 objectives of the Fish and Wildlife Conservation Commission's
1172 approved species or habitat recovery plans, or lands within any
1173 area designated as an area of critical state concern under s.
1174 380.05 which, in the judgment of the advisory council
1175 established pursuant to s. 259.035, or its successor, cannot be
1176 adequately protected by application of land development
1177 regulations adopted pursuant to s. 380.05. Finally, it is the
1178 Legislature's intent that lands acquired for conservation and
1179 recreation purposes ~~through this program and any successor~~
1180 ~~programs~~ be managed in such a way as to protect or restore their
1181 natural resource values, and provide the greatest benefit,
1182 including public access, to the citizens of this state.

1183 ~~(2) (a) The Conservation and Recreation Lands Trust Fund is~~
1184 ~~established within the Department of Environmental Protection.~~
1185 ~~The fund shall be used as a nonlapsing, revolving fund~~
1186 ~~exclusively for the purposes of this section. The fund shall be~~
1187 ~~credited with proceeds from the following excise taxes:~~

1188 ~~1. The excise taxes on documents as provided in s. 201.15,~~
1189 ~~and~~

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1190 ~~2. The excise tax on the severance of phosphate rock as~~
1191 ~~provided in s. 211.3103.~~

1192
1193 ~~The Department of Revenue shall credit to the fund each month~~
1194 ~~the proceeds from such taxes as provided in this paragraph.~~

1195 ~~(b) There shall annually be transferred from the~~
1196 ~~Conservation and Recreation Lands Trust Fund to the Land~~
1197 ~~Acquisition Trust Fund that amount, not to exceed \$20 million~~
1198 ~~annually, as shall be necessary to pay the debt service on, or~~
1199 ~~fund debt service reserve funds, rebate obligations, or other~~
1200 ~~amounts with respect to bonds issued pursuant to s. 375.051 to~~
1201 ~~acquire lands on the established priority list developed~~
1202 ~~pursuant to ss. 259.101(4) and 259.105; however, no moneys~~
1203 ~~transferred to the Land Acquisition Trust Fund pursuant to this~~
1204 ~~paragraph, or earnings thereon, shall be used or made available~~
1205 ~~to pay debt service on the Save Our Coast revenue bonds. Amounts~~
1206 ~~transferred annually from the Conservation and Recreation Lands~~
1207 ~~Trust Fund to the Land Acquisition Trust Fund pursuant to this~~
1208 ~~paragraph shall have the highest priority over other payments or~~
1209 ~~transfers from the Conservation and Recreation Lands Trust Fund,~~
1210 ~~and no other payments or transfers shall be made from the~~
1211 ~~Conservation and Recreation Lands Trust Fund until such~~
1212 ~~transfers to the Land Acquisition Trust Fund have been made.~~
1213 ~~Moneys in the Conservation and Recreation Lands Trust Fund also~~
1214 ~~shall be used to manage lands and to pay for related costs,~~
1215 ~~activities, and functions pursuant to the provisions of this~~
1216 ~~section.~~

1217 ~~(2)(3)~~ The Governor and Cabinet, sitting as the Board of
1218 Trustees of the Internal Improvement Trust Fund, may expend

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1219 ~~allocate moneys~~ appropriated by the Legislature ~~from the fund in~~
1220 ~~any one year~~ to acquire the fee or any lesser interest in lands
1221 for the following public purposes:

1222 (a) To conserve and protect environmentally unique and
1223 irreplaceable lands that contain native, relatively unaltered
1224 flora and fauna representing a natural area unique to, or scarce
1225 within, a region of this state or a larger geographic area;

1226 (b) To conserve and protect lands within designated areas
1227 of critical state concern, if the proposed acquisition relates
1228 to the natural resource protection purposes of the designation;

1229 (c) To conserve and protect native species habitat or
1230 endangered or threatened species, emphasizing long-term
1231 protection for endangered or threatened species designated G-1
1232 or G-2 by the Florida Natural Areas Inventory, and especially
1233 those areas that are special locations for breeding and
1234 reproduction;

1235 (d) To conserve, protect, manage, or restore important
1236 ecosystems, landscapes, and forests, if the protection and
1237 conservation of such lands is necessary to enhance or protect
1238 significant surface water, groundwater, coastal, recreational,
1239 timber, or fish or wildlife resources which cannot otherwise be
1240 accomplished through local and state regulatory programs;

1241 (e) To promote water resource development that benefits
1242 natural systems and citizens of the state;

1243 (f) To facilitate the restoration and subsequent health and
1244 vitality of the Florida Everglades;

1245 (g) To provide areas, including recreational trails, for
1246 natural resource based recreation and other outdoor recreation
1247 on any part of any site compatible with conservation purposes;

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1248 (h) To preserve significant archaeological or historic
1249 sites;

1250 (i) To conserve urban open spaces suitable for greenways or
1251 outdoor recreation which are compatible with conservation
1252 purposes; or

1253 (j) To preserve agricultural lands under threat of
1254 conversion to development through less-than-fee acquisitions.

1255 (3)~~(4)~~ Lands acquired for conservation and recreation
1256 purposes ~~under this section~~ shall be for use as state-designated
1257 parks, recreation areas, preserves, reserves, historic or
1258 archaeological sites, geologic or botanical sites, recreational
1259 trails, forests, wilderness areas, wildlife management areas,
1260 urban open space, or other state-designated recreation or
1261 conservation lands; or they shall qualify for such state
1262 designation and use if they are to be managed by other
1263 governmental agencies or nonstate entities as provided for in
1264 this section.

1265 (4)~~(5)~~ The board of trustees may expend funds appropriated
1266 by the Legislature ~~allocate, in any year, an amount not to~~
1267 ~~exceed 5 percent of the money credited to the fund in that year,~~
1268 ~~such allocation to be used for the initiation and maintenance of~~
1269 ~~a natural areas inventory to aid in the identification of areas~~
1270 ~~to be acquired~~ for conservation and recreation purposes ~~pursuant~~
1271 ~~to this section.~~

1272 ~~(6) Moneys in the fund not needed to meet obligations~~
1273 ~~incurred under this section shall be deposited with the Chief~~
1274 ~~Financial Officer to the credit of the fund and may be invested~~
1275 ~~in the manner provided by law. Interest received on such~~
1276 ~~investments shall be credited to the Conservation and Recreation~~

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1277 ~~Lands Trust Fund.~~

1278 (5)~~(7)~~ The board of trustees may enter into any contract
1279 necessary to accomplish the purposes of this section. The lead
1280 land managing agencies designated by the board of trustees also
1281 are directed by the Legislature to enter into contracts or
1282 interagency agreements with other governmental entities,
1283 including local soil and water conservation districts, or
1284 private land managers who have the expertise to perform specific
1285 management activities which a lead agency lacks, or which would
1286 cost more to provide in-house. Such activities shall include,
1287 but not be limited to, controlled burning, road and ditch
1288 maintenance, mowing, and wildlife assessments.

1289 (6)~~(8)~~ Conservation and recreation lands ~~to be considered~~
1290 ~~for purchase under this section~~ are subject to the selection
1291 procedures of s. 259.035 and related rules and shall be acquired
1292 in accordance with acquisition procedures for state lands
1293 provided for in s. 259.041, except as otherwise provided by the
1294 Legislature. An inholding or an addition to conservation and
1295 recreation lands ~~a project selected for purchase pursuant to~~
1296 ~~this chapter~~ is not subject to the selection procedures of s.
1297 259.035 if the estimated value of such inholding or addition
1298 does not exceed \$500,000. When at least 90 percent of the
1299 acreage of a project has been purchased for conservation and
1300 recreation purposes ~~pursuant to this chapter~~, the project may be
1301 removed from the list and the remaining acreage may continue to
1302 be purchased. Funds appropriated to acquire conservation and
1303 recreation lands ~~Moneys from the fund~~ may be used for title
1304 work, appraisal fees, environmental audits, and survey costs
1305 related to acquisition expenses for lands to be acquired,

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1306 donated, or exchanged which qualify under the categories of this
1307 section, at the discretion of the board. When the Legislature
1308 has authorized the Department of Environmental Protection to
1309 condemn a specific parcel of land and such parcel has already
1310 been approved for acquisition ~~under this section~~, the land may
1311 be acquired in accordance with the provisions of chapter 73 or
1312 chapter 74, and the funds appropriated to acquire conservation
1313 and recreation lands fund may be used to pay the condemnation
1314 award and all costs, including a reasonable attorney fees
1315 ~~attorney's fee~~, associated with condemnation.

1316 (7) ~~(9)~~ All lands managed under this chapter and s. 253.034
1317 shall be:

1318 (a) Managed in a manner that will provide the greatest
1319 combination of benefits to the public and to the resources.

1320 (b) Managed for public outdoor recreation which is
1321 compatible with the conservation and protection of public lands.
1322 Such management may include, but not be limited to, the
1323 following public recreational uses: fishing, hunting, camping,
1324 bicycling, hiking, nature study, swimming, boating, canoeing,
1325 horseback riding, diving, model hobbyist activities, birding,
1326 sailing, jogging, and other related outdoor activities
1327 compatible with the purposes for which the lands were acquired.

1328 (c) Managed for the purposes for which the lands were
1329 acquired, consistent with paragraph (9) (a) ~~(11) (a)~~.

1330 (d) Concurrent with its adoption of the annual ~~Conservation~~
1331 ~~and Recreation Lands~~ list of acquisition projects pursuant to s.
1332 259.035, the board of trustees shall adopt a management
1333 prospectus for each project. The management prospectus shall
1334 delineate:

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- 1335 1. The management goals for the property;
- 1336 2. The conditions that will affect the intensity of
1337 management;
- 1338 3. An estimate of the revenue-generating potential of the
1339 property, if appropriate;
- 1340 4. A timetable for implementing the various stages of
1341 management and for providing access to the public, if
1342 applicable;
- 1343 5. A description of potential multiple-use activities as
1344 described in this section and s. 253.034;
- 1345 6. Provisions for protecting existing infrastructure and
1346 for ensuring the security of the project upon acquisition;
- 1347 7. The anticipated costs of management and projected
1348 sources of revenue, including legislative appropriations, to
1349 fund management needs; and
- 1350 8. Recommendations as to how many employees will be needed
1351 to manage the property, and recommendations as to whether local
1352 governments, volunteer groups, the former landowner, or other
1353 interested parties can be involved in the management.
- 1354 (e) Concurrent with the approval of the acquisition
1355 contract pursuant to s. 259.041(3)(c) for any interest in lands
1356 except those lands being acquired under the provisions of s.
1357 259.1052, the board of trustees shall designate an agency or
1358 agencies to manage such lands. The board shall evaluate and
1359 amend, as appropriate, the management policy statement for the
1360 project as provided by s. 259.035, consistent with the purposes
1361 for which the lands are acquired. For any fee simple acquisition
1362 of a parcel which is or will be leased back for agricultural
1363 purposes, or any acquisition of a less-than-fee interest in land

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1364 that is or will be used for agricultural purposes, the Board of
1365 Trustees of the Internal Improvement Trust Fund shall first
1366 consider having a soil and water conservation district, created
1367 pursuant to chapter 582, manage and monitor such interests.

1368 (f) State agencies designated to manage lands acquired
1369 under this chapter or with funds deposited into the Land
1370 Acquisition Trust Fund, except those lands acquired under s.
1371 259.1052, may contract with local governments and soil and water
1372 conservation districts to assist in management activities,
1373 including the responsibility of being the lead land manager.
1374 Such land management contracts may include a provision for the
1375 transfer of management funding to the local government or soil
1376 and water conservation district from the land acquisition
1377 Conservation and Recreation Lands trust fund of the lead land
1378 managing agency in an amount adequate for the local government
1379 or soil and water conservation district to perform its
1380 contractual land management responsibilities and proportionate
1381 to its responsibilities, and which otherwise would have been
1382 expended by the state agency to manage the property.

1383 (g) Immediately following the acquisition of any interest
1384 in conservation and recreation lands ~~under this chapter~~, the
1385 Department of Environmental Protection, acting on behalf of the
1386 board of trustees, may issue to the lead managing entity an
1387 interim assignment letter to be effective until the execution of
1388 a formal lease.

1389 (8) ~~(10)~~ (a) State, regional, or local governmental agencies
1390 or private entities designated to manage lands under this
1391 section shall develop and adopt, with the approval of the board
1392 of trustees, an individual management plan for each project

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1393 designed to conserve and protect such lands and their associated
1394 natural resources. Private sector involvement in management plan
1395 development may be used to expedite the planning process.

1396 (b) Individual management plans required by s. 253.034(5),
1397 for parcels over 160 acres, shall be developed with input from
1398 an advisory group. Members of this advisory group shall include,
1399 at a minimum, representatives of the lead land managing agency,
1400 comanaging entities, local private property owners, the
1401 appropriate soil and water conservation district, a local
1402 conservation organization, and a local elected official. The
1403 advisory group shall conduct at least one public hearing within
1404 the county in which the parcel or project is located. For those
1405 parcels or projects that are within more than one county, at
1406 least one areawide public hearing shall be acceptable and the
1407 lead managing agency shall invite a local elected official from
1408 each county. The areawide public hearing shall be held in the
1409 county in which the core parcels are located. Notice of such
1410 public hearing shall be posted on the parcel or project
1411 designated for management, advertised in a paper of general
1412 circulation, and announced at a scheduled meeting of the local
1413 governing body before the actual public hearing. The management
1414 prospectus required pursuant to paragraph (7) (d) ~~(9) (d)~~ shall be
1415 available to the public for a period of 30 days prior to the
1416 public hearing.

1417 (c) Once a plan is adopted, the managing agency or entity
1418 shall update the plan at least every 10 years in a form and
1419 manner prescribed by rule of the board of trustees. Such
1420 updates, for parcels over 160 acres, shall be developed with
1421 input from an advisory group. Such plans may include transfers

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1422 of leasehold interests to appropriate conservation organizations
1423 or governmental entities designated by the Land Acquisition and
1424 Management Advisory Council or its successor, for uses
1425 consistent with the purposes of the organizations and the
1426 protection, preservation, conservation, restoration, and proper
1427 management of the lands and their resources. Volunteer
1428 management assistance is encouraged, including, but not limited
1429 to, assistance by youths participating in programs sponsored by
1430 state or local agencies, by volunteers sponsored by
1431 environmental or civic organizations, and by individuals
1432 participating in programs for committed delinquents and adults.

1433 (d)1. For each project for which lands are acquired after
1434 July 1, 1995, an individual management plan shall be adopted and
1435 in place no later than 1 year after the essential parcel or
1436 parcels identified in the priority list developed pursuant to s.
1437 259.105 ~~ss. 259.101(4) and 259.105~~ have been acquired. The
1438 Department of Environmental Protection shall distribute only 75
1439 percent of the acquisition funds to which a budget entity or
1440 water management district would otherwise be entitled ~~from the~~
1441 ~~Preservation 2000 Trust Fund~~ to any budget entity or any water
1442 management district that has more than one-third of its
1443 management plans overdue.

1444 2. The requirements of subparagraph 1. do not apply to the
1445 individual management plan for the Babcock Crescent B Ranch
1446 being acquired pursuant to s. 259.1052. The management plan for
1447 the ranch shall be adopted and in place no later than 2 years
1448 following the date of acquisition by the state.

1449 (e) Individual management plans shall conform to the
1450 appropriate policies and guidelines of the state land management

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1451 plan and shall include, but not be limited to:

1452 1. A statement of the purpose for which the lands were
1453 acquired, the projected use or uses as defined in s. 253.034,
1454 and the statutory authority for such use or uses.

1455 2. Key management activities necessary to achieve the
1456 desired outcomes, including, but not limited to, providing
1457 public access, preserving and protecting natural resources,
1458 protecting cultural and historical resources, restoring habitat,
1459 protecting threatened and endangered species, controlling the
1460 spread of nonnative plants and animals, performing prescribed
1461 fire activities, and other appropriate resource management.

1462 3. A specific description of how the managing agency plans
1463 to identify, locate, protect, and preserve, or otherwise use
1464 fragile, nonrenewable natural and cultural resources.

1465 4. A priority schedule for conducting management
1466 activities, based on the purposes for which the lands were
1467 acquired.

1468 5. A cost estimate for conducting priority management
1469 activities, to include recommendations for cost-effective
1470 methods of accomplishing those activities.

1471 6. A cost estimate for conducting other management
1472 activities which would enhance the natural resource value or
1473 public recreation value for which the lands were acquired. The
1474 cost estimate shall include recommendations for cost-effective
1475 methods of accomplishing those activities.

1476 7. A determination of the public uses and public access
1477 that would be consistent with the purposes for which the lands
1478 were acquired.

1479 (f) The Division of State Lands shall submit a copy of each

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1480 individual management plan for parcels which exceed 160 acres in
1481 size to each member of the Acquisition and Restoration Council,
1482 which shall:

1483 1. Within 60 days after receiving a plan from the division,
1484 review each plan for compliance with the requirements of this
1485 subsection and with the requirements of the rules established by
1486 the board pursuant to this subsection.

1487 2. Consider the propriety of the recommendations of the
1488 managing agency with regard to the future use or protection of
1489 the property.

1490 3. After its review, submit the plan, along with its
1491 recommendations and comments, to the board of trustees, with
1492 recommendations as to whether to approve the plan as submitted,
1493 approve the plan with modifications, or reject the plan.

1494 (g) The board of trustees shall consider the individual
1495 management plan submitted by each state agency and the
1496 recommendations of the Acquisition and Restoration Council and
1497 the Division of State Lands and shall approve the plan with or
1498 without modification or reject such plan. The use or possession
1499 of any lands owned by the board of trustees which is not in
1500 accordance with an approved individual management plan is
1501 subject to termination by the board of trustees.

1502
1503 By July 1 of each year, each governmental agency and each
1504 private entity designated to manage lands shall report to the
1505 Secretary of Environmental Protection on the progress of
1506 funding, staffing, and resource management of every project for
1507 which the agency or entity is responsible.

1508 (9) ~~(11)~~ (a) The Legislature recognizes that acquiring lands

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1509 pursuant to this chapter serves the public interest by
1510 protecting land, air, and water resources which contribute to
1511 the public health and welfare, providing areas for natural
1512 resource based recreation, and ensuring the survival of unique
1513 and irreplaceable plant and animal species. The Legislature
1514 intends for these lands to be managed and maintained for the
1515 purposes for which they were acquired and for the public to have
1516 access to and use of these lands where it is consistent with
1517 acquisition purposes and would not harm the resources the state
1518 is seeking to protect on the public's behalf.

1519 (b) An amount of not less than 1.5 percent of the
1520 cumulative total of funds ever deposited into the Florida
1521 Preservation 2000 Trust Fund and the Florida Forever Trust Fund
1522 shall be made available for the purposes of management,
1523 maintenance, and capital improvements ~~not eligible for funding~~
1524 ~~pursuant to s. 11(e), Art. VII of the State Constitution, and~~
1525 ~~for associated contractual services, for~~ conservation and
1526 recreation lands acquired with funds deposited into the Land
1527 Acquisition Trust Fund pursuant to s. 28(a), Art. X of the State
1528 Constitution or pursuant to former s. 259.032, Florida Statutes
1529 2014 this section, former s. 259.101, Florida Statutes 2014, s.
1530 259.105, s. 259.1052, or previous programs for the acquisition
1531 of lands for conservation and recreation, including state
1532 forests, to which title is vested in the board of trustees and
1533 other conservation and recreation lands managed by a state
1534 agency. Of this amount, \$250,000 shall be transferred annually
1535 to the Plant Industry Trust Fund within the Department of
1536 Agriculture and Consumer Services for the purpose of
1537 implementing the Endangered or Threatened Native Flora

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1538 ~~Conservation Grants Program pursuant to s. 581.185(11).~~ Each
1539 agency with management responsibilities shall annually request
1540 from the Legislature funds sufficient to fulfill such
1541 responsibilities to implement individual management plans. For
1542 the purposes of this paragraph, capital improvements shall
1543 include, but need not be limited to, perimeter fencing, signs,
1544 firelanes, access roads and trails, and minimal public
1545 accommodations, such as primitive campsites, garbage
1546 receptacles, and toilets. Any equipment purchased with funds
1547 provided pursuant to this paragraph may be used for the purposes
1548 described in this paragraph on any conservation and recreation
1549 lands managed by a state agency. The funding requirement created
1550 in this paragraph is subject to an annual evaluation by the
1551 Legislature ~~in order~~ to ensure that such requirement does not
1552 impact the respective trust fund in a manner that would prevent
1553 the trust fund from meeting other minimum requirements.

1554 (c) All revenues generated through multiple-use management
1555 or compatible secondary-use management shall be returned to the
1556 lead agency responsible for such management and shall be used to
1557 pay for management activities on all conservation, preservation,
1558 and recreation lands under the agency's jurisdiction. In
1559 addition, such revenues shall be segregated in an agency trust
1560 fund used for land management activities, other than a land
1561 acquisition trust fund, and such revenues shall remain available
1562 to the agency in subsequent fiscal years to support land
1563 management appropriations. For the purposes of this paragraph,
1564 compatible secondary-use management shall be those activities
1565 described in subsection (7) ~~(9)~~ undertaken on parcels designated
1566 as single use pursuant to s. 253.034(2) (b).

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1567 (d) Up to one-fifth of the funds appropriated for the
1568 purposes identified ~~provided for~~ in paragraph (b) shall be
1569 reserved by the board of trustees for interim management of
1570 acquisitions and for associated contractual services, to ensure
1571 the conservation and protection of natural resources on project
1572 sites and to allow limited public recreational use of lands.
1573 Interim management activities may include, but not be limited
1574 to, resource assessments, control of invasive, nonnative
1575 species, habitat restoration, fencing, law enforcement,
1576 controlled burning, and public access consistent with
1577 preliminary determinations made pursuant to paragraph (7) (g)
1578 ~~(9) (g)~~. The board of trustees shall make these interim funds
1579 available immediately upon purchase.

1580 (e) The department shall set long-range and annual goals
1581 for the control and removal of nonnative, invasive plant species
1582 on public lands. Such goals shall differentiate between aquatic
1583 plant species and upland plant species. In setting such goals,
1584 the department may rank, in order of adverse impact, species
1585 that impede or destroy the functioning of natural systems.
1586 Notwithstanding paragraph (a), up to one-fourth of the funds
1587 provided for in paragraph (b) may be used by the agencies
1588 receiving those funds for control and removal of nonnative,
1589 invasive species on public lands.

1590 ~~(f) For the 2014-2015 fiscal year only, moneys in the~~
1591 ~~Conservation and Recreation Lands Trust Fund may be transferred~~
1592 ~~to the Florida Forever Trust Fund for the Florida Forever~~
1593 ~~program and to the Save Our Everglades Trust Fund to support~~
1594 ~~Everglades restoration projects included in the final report of~~
1595 ~~the Select Committee on Indian River Lagoon and Lake Okeechobee~~

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1596 Basin, dated November 8, 2013, pursuant to nonoperating budget
1597 authority under s. 216.181(12). This subsection expires July 1,
1598 2015.

1599 (10)~~(12)~~(a) Beginning July 1, 1999, the Legislature may
1600 appropriate ~~shall make available sufficient~~ funds annually ~~from~~
1601 ~~the Conservation and Recreation Lands trust fund~~ to the
1602 department for payment in lieu of taxes to qualifying counties
1603 and local governments as defined in paragraph (b) for all actual
1604 tax losses incurred as a result of board of trustees
1605 acquisitions for state agencies under the Florida Forever
1606 program or the former Florida Preservation 2000 program ~~during~~
1607 ~~any year. Reserved funds not used for payments in lieu of taxes~~
1608 ~~in any year shall revert to the fund to be used for land~~
1609 ~~management in accordance with the provisions of this section.~~

1610 (b) Payment in lieu of taxes shall be available:

1611 1. To all counties that have a population of 150,000 or
1612 fewer. Population levels shall be determined pursuant to s.
1613 11.031.

1614 2. To all local governments located in eligible counties.

1615 ~~3. To Glades County, where a privately owned and operated~~
1616 ~~prison leased to the state has recently been opened and where~~
1617 ~~privately owned and operated juvenile justice facilities leased~~
1618 ~~to the state have recently been constructed and opened, a~~
1619 ~~payment in lieu of taxes, in an amount that offsets the loss of~~
1620 ~~property tax revenue, which funds have already been appropriated~~
1621 ~~and allocated from the Department of Correction's budget for the~~
1622 ~~purpose of reimbursing amounts equal to lost ad valorem taxes.~~

1623 (c) If insufficient funds are available in any year to make
1624 full payments to all qualifying counties and local governments,

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1625 such counties and local governments shall receive a pro rata
1626 share of the moneys available.

1627 (d) The payment amount shall be based on the average amount
1628 of actual taxes paid on the property for the 3 years preceding
1629 acquisition. Applications for payment in lieu of taxes shall be
1630 made no later than January 31 of the year following acquisition.
1631 No payment in lieu of taxes shall be made for properties which
1632 were exempt from ad valorem taxation for the year immediately
1633 preceding acquisition.

1634 (e) If property which was subject to ad valorem taxation
1635 was acquired by a tax-exempt entity for ultimate conveyance to
1636 the state under this chapter, payment in lieu of taxes shall be
1637 made for such property based upon the average amount of taxes
1638 paid on the property for the 3 years before ~~prior to~~ its being
1639 removed from the tax rolls. The department shall certify to the
1640 Department of Revenue those properties that may be eligible
1641 under this provision. Once eligibility has been established,
1642 that county or local government shall receive annual payments
1643 for each tax loss until the qualifying county or local
1644 government exceeds the population threshold pursuant to this
1645 section.

1646 (f) Payment in lieu of taxes pursuant to this subsection
1647 shall be made annually to qualifying counties and local
1648 governments after certification by the Department of Revenue
1649 that the amounts applied for are reasonably appropriate, based
1650 on the amount of actual taxes paid on the eligible property.
1651 With the assistance of the local government requesting payment
1652 in lieu of taxes, the state agency that acquired the land is
1653 responsible for preparing and submitting application requests

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1654 for payment to the Department of Revenue for certification.

1655 (g) If the board of trustees conveys to a local government
1656 title to any land owned by the board, any payments in lieu of
1657 taxes on the land made to the local government shall be
1658 discontinued as of the date of the conveyance.

1659
1660 For the purposes of this subsection, "local government" includes
1661 municipalities, the county school board, mosquito control
1662 districts, and any other local government entity which levies ad
1663 valorem taxes, with the exception of a water management
1664 district.

1665 ~~(13) Moneys credited to the fund each year which are not~~
1666 ~~used for management, maintenance, or capital improvements~~
1667 ~~pursuant to subsection (11); for payment in lieu of taxes~~
1668 ~~pursuant to subsection (12); or for the purposes of subsection~~
1669 ~~(5), shall be available for the acquisition of land pursuant to~~
1670 ~~this section.~~

1671 (11)~~(14)~~ The board of trustees may adopt rules to further
1672 define the categories of land for acquisition under this
1673 chapter.

1674 (12)~~(15)~~ Within 90 days after receiving a certified letter
1675 from the owner of a property on the ~~Conservation and Recreation~~
1676 ~~Lands list or the~~ priority list established pursuant to s.
1677 259.105 objecting to the property being included in an
1678 acquisition project, where such property is a project or part of
1679 a project which has not been listed for purchase in the current
1680 year's land acquisition work plan, the board of trustees shall
1681 delete the property from the list or from the boundary of an
1682 acquisition project on the list.

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1683 Section 21. Subsections (3), (4), and (6) of section
1684 259.035, Florida Statutes, are amended to read:

1685 259.035 Acquisition and Restoration Council.—

1686 (3) The council shall provide assistance to the board of
1687 trustees in reviewing the recommendations and plans for state-
1688 owned lands required under s. 253.034 and this chapter ~~ss.~~
1689 ~~253.034 and 259.032~~. The council shall, in reviewing such
1690 recommendations and plans, consider the optimization of
1691 multiple-use and conservation strategies to accomplish the
1692 provisions funded pursuant to former s. 259.101(3)(a), Florida
1693 Statutes 2014, and to s. 259.105(3)(b) ~~ss. 259.101(3)(a) and~~
1694 ~~259.105(3)(b)~~.

1695 (4) ~~(a) The council may use existing rules adopted by the~~
1696 ~~board of trustees, until it develops and recommends amendments~~
1697 ~~to those rules, to competitively evaluate, select, and rank~~
1698 ~~projects eligible for the Conservation and Recreation Lands list~~
1699 ~~pursuant to ss. 259.032(3) and 259.101(4).~~

1700 ~~(a)(b)~~ By December 1, 2016 ~~2009~~, the Acquisition and
1701 Restoration Council shall develop rules defining specific
1702 criteria and numeric performance measures needed for lands that
1703 are to be acquired for public purpose under the Florida Forever
1704 program pursuant to s. 259.105 or with funds deposited into the
1705 Land Acquisition Trust Fund pursuant to s. 28(a), Art. X of the
1706 State Constitution. ~~Each recipient of Florida Forever funds~~
1707 ~~shall assist the council in the development of such rules.~~ These
1708 rules shall be reviewed and adopted by the board, then submitted
1709 to the Legislature for consideration by February 1, 2017 ~~2010~~.
1710 The Legislature may reject, modify, or take no action relative
1711 to the proposed rules. If no action is taken, the rules shall be

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1712 implemented. Subsequent to their approval, each recipient of
1713 ~~Florida Forever~~ funds from the Land Acquisition Trust Fund shall
1714 annually report to the Division of State Lands on each of the
1715 numeric performance measures accomplished during the previous
1716 fiscal year.

1717 (b)~~(e)~~ In developing or amending rules, the council shall
1718 give weight to the criteria included in s. 259.105(9) ~~(10)~~. The
1719 board of trustees shall review the recommendations and shall
1720 adopt rules necessary to administer this section.

1721 (6) The proposal for a project pursuant to this section or
1722 s. 259.105(3)(b) may be implemented only if adopted by the
1723 council and approved by the board of trustees. The council shall
1724 consider and evaluate in writing the merits and demerits of each
1725 project that is proposed for acquisition using funds available
1726 pursuant to s. 28, Art. X of the State Constitution ~~Conservation~~
1727 ~~and Recreation Lands, Florida Preservation 2000,~~ or Florida
1728 Forever funding and shall ensure that each proposed project
1729 meets the requirements of s. 28, Art. X of the State
1730 Constitution ~~will meet a stated public purpose for the~~
1731 ~~restoration, conservation, or preservation of environmentally~~
1732 ~~sensitive lands and water areas or for providing outdoor~~
1733 ~~recreational opportunities.~~ The council also shall determine
1734 whether the project conforms, where applicable, with the
1735 comprehensive plan developed pursuant to s. 259.04(1)(a), the
1736 comprehensive multipurpose outdoor recreation plan developed
1737 pursuant to s. 375.021, the state lands management plan adopted
1738 pursuant to s. 253.03(7), the water resources work plans
1739 developed pursuant to s. 373.199, and the provisions of s.
1740 259.032, s. 259.101, or s. 259.105, whichever is applicable.

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1741 Section 22. Subsection (4) of section 259.036, Florida
1742 Statutes, is amended to read:

1743 259.036 Management review teams.—

1744 (4) In the event a land management plan has not been
1745 adopted within the timeframes specified in s. 259.032(8) ~~s.~~
1746 ~~259.032(10)~~, the department may direct a management review of
1747 the property, to be conducted by the land management review
1748 team. The review shall consider the extent to which the land is
1749 being managed for the purposes for which it was acquired and the
1750 degree to which actual management practices are in compliance
1751 with the management policy statement and management prospectus
1752 for that property.

1753 Section 23. Paragraph (b) of subsection (3) of section
1754 259.037, Florida Statutes, is amended to read:

1755 259.037 Land Management Uniform Accounting Council.—

1756 (3)

1757 (b) Each reporting agency shall also:

1758 1. Include a report of the available public use
1759 opportunities for each management unit of state land, the total
1760 management cost for public access and public use, and the cost
1761 associated with each use option.

1762 2. List the acres of land requiring minimal management
1763 effort, moderate management effort, and significant management
1764 effort pursuant to s. 259.032(9)(c) ~~former s. 259.032(11)(c)~~.
1765 For each category created in paragraph (a), the reporting agency
1766 shall include the amount of funds requested, the amount of funds
1767 received, and the amount of funds expended for land management.

1768 3. List acres managed and cost of management for each park,
1769 preserve, forest, reserve, or management area.

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1770 4. List acres managed, cost of management, and lead manager
1771 for each state lands management unit for which secondary
1772 management activities were provided.

1773 5. Include a report of the estimated calculable financial
1774 benefits to the public for the ecosystem services provided by
1775 conservation lands, based on the best readily available
1776 information or science that provides a standard measurement
1777 methodology to be consistently applied by the land managing
1778 agencies. Such information may include, but need not be limited
1779 to, the value of natural lands for protecting the quality and
1780 quantity of drinking water through natural water filtration and
1781 recharge, contributions to protecting and improving air quality,
1782 benefits to agriculture through increased soil productivity and
1783 preservation of biodiversity, and savings to property and lives
1784 through flood control.

1785 Section 24. Subsection (1) of section 259.04, Florida
1786 Statutes, is amended to read:

1787 259.04 Board; powers and duties.—

1788 (1) For projects and acquisitions selected for purchase
1789 pursuant to ss. 259.035, ~~259.101~~, and 259.105:

1790 (a) The board is given the responsibility, authority, and
1791 power to develop and execute a comprehensive, statewide 5-year
1792 plan to conserve, restore, and protect environmentally
1793 endangered lands, ecosystems, lands necessary for outdoor
1794 recreational needs, and other lands as identified in ss.
1795 ~~259.032, 259.101~~, and 259.105. This plan shall be kept current
1796 through continual reevaluation and revision. The advisory
1797 council or its successor shall assist the board in the
1798 development, reevaluation, and revision of the plan.

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1799 (b) The board may enter into contracts with the government
1800 of the United States or any agency or instrumentality thereof;
1801 the state or any county, municipality, district authority, or
1802 political subdivision; or any private corporation, partnership,
1803 association, or person providing for or relating to the
1804 conservation or protection of certain lands in accomplishing the
1805 purposes of this chapter.

1806 (c) Within 45 days after the advisory council or its
1807 successor submits the lists of projects to the board, the board
1808 shall approve, in whole or in part, the lists of projects in the
1809 order of priority in which such projects are presented. To the
1810 greatest extent practicable, projects on the lists shall be
1811 acquired in their approved order of priority.

1812 (d) The board is authorized to acquire, by purchase, gift,
1813 or devise or otherwise, the fee title or any lesser interest of
1814 lands, water areas, and related resources for environmentally
1815 endangered lands.

1816 Section 25. Paragraphs (a) and (b) of subsection (11) and
1817 subsection (15) of section 259.041, Florida Statutes, are
1818 amended to read:

1819 259.041 Acquisition of state-owned lands for preservation,
1820 conservation, and recreation purposes.—

1821 (11) (a) The Legislature finds that, with the increasing
1822 pressures on the natural areas of this state and on open space
1823 suitable for recreational use, the state must develop creative
1824 techniques to maximize the use of acquisition and management
1825 funds. The Legislature also finds that the state's conservation
1826 and recreational land acquisition agencies should be encouraged
1827 to augment their traditional, fee simple acquisition programs

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1828 with the use of alternatives to fee simple acquisition
1829 techniques. Additionally, the Legislature finds that generations
1830 of private landowners have been good stewards of their land,
1831 protecting or restoring native habitats and ecosystems to the
1832 benefit of the natural resources of this state, its heritage,
1833 and its citizens. The Legislature also finds that using
1834 alternatives to fee simple acquisition by public land
1835 acquisition agencies will achieve the following public policy
1836 goals:

1837 1. Allow more lands to be brought under public protection
1838 for preservation, conservation, and recreational purposes with
1839 less expenditure of public funds.

1840 2. Retain, on local government tax rolls, some portion of
1841 or interest in lands which are under public protection.

1842 3. Reduce long-term management costs by allowing private
1843 property owners to continue acting as stewards of their land,
1844 where appropriate.

1845
1846 Therefore, it is the intent of the Legislature that public land
1847 acquisition agencies develop programs to pursue alternatives to
1848 fee simple acquisition and to educate private landowners about
1849 such alternatives and the benefits of such alternatives. It is
1850 also the intent of the Legislature that a portion of the shares
1851 of ~~Preservation 2000~~ and Florida Forever bond proceeds be used
1852 to purchase eligible properties using alternatives to fee simple
1853 acquisition.

1854 (b) All project applications shall identify, within their
1855 acquisition plans, projects that require a full fee simple
1856 interest to achieve the public policy goals, together with the

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1857 reasons full title is determined to be necessary. The state
1858 agencies and the water management districts may use alternatives
1859 to fee simple acquisition to bring the remaining projects in
1860 their acquisition plans under public protection. For the
1861 purposes of this subsection, the term "alternatives to fee
1862 simple acquisition" includes, but is not limited to: purchase of
1863 development rights; obtaining conservation easements; obtaining
1864 flowage easements; purchase of timber rights, mineral rights, or
1865 hunting rights; purchase of agricultural interests or
1866 silvicultural interests; ~~entering into land protection~~
1867 ~~agreements as defined in s. 380.0677(3);~~ fee simple acquisitions
1868 with reservations; creating life estates; or any other
1869 acquisition technique that achieves the public policy goals
1870 listed in paragraph (a). It is presumed that a private landowner
1871 retains the full range of uses for all the rights or interests
1872 in the landowner's land which are not specifically acquired by
1873 the public agency. The lands upon which hunting rights are
1874 specifically acquired pursuant to this paragraph shall be
1875 available for hunting in accordance with the management plan or
1876 hunting regulations adopted by the Florida Fish and Wildlife
1877 Conservation Commission, unless the hunting rights are purchased
1878 specifically to protect activities on adjacent lands.

1879 (15) The board of trustees, by an affirmative vote of at
1880 least three of its members, may direct the department to
1881 purchase lands on an immediate basis using up to 15 percent of
1882 the funds allocated to the department pursuant to s. 259.105 ~~ss.~~
1883 ~~259.101(3) (a) and 259.105~~ for the acquisition of lands that:

1884 (a) Are listed or placed at auction by the Federal
1885 Government as part of the Resolution Trust Corporation sale of

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1886 lands from failed savings and loan associations;

1887 (b) Are listed or placed at auction by the Federal
1888 Government as part of the Federal Deposit Insurance Corporation
1889 sale of lands from failed banks; or

1890 (c) Will be developed or otherwise lost to potential public
1891 ownership, or for which federal matching funds will be lost, by
1892 the time the land can be purchased under the program within
1893 which the land is listed for acquisition.

1894

1895 For such acquisitions, the board of trustees may waive or modify
1896 all procedures required for land acquisition pursuant to this
1897 chapter and all competitive bid procedures required pursuant to
1898 chapters 255 and 287. Lands acquired pursuant to this subsection
1899 must, at the time of purchase, be on one of the acquisition
1900 lists established pursuant to this chapter, or be essential for
1901 water resource development, protection, or restoration, or a
1902 significant portion of the lands must contain natural
1903 communities or plant or animal species that ~~which~~ are listed by
1904 the Florida Natural Areas Inventory as critically imperiled,
1905 imperiled, or rare, or as excellent quality occurrences of
1906 natural communities.

1907 Section 26. Section 259.101, Florida Statutes, is amended
1908 to read:

1909 259.101 Florida Preservation 2000 Act.—

1910 (1) SHORT TITLE.—This section may be cited as the “Florida
1911 Preservation 2000 Act.”

1912 (2) LEGISLATIVE FINDINGS.—The Legislature finds and
1913 declares that:

1914 (a) The alteration and development of Florida’s natural

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1915 areas to accommodate its rapidly growing population have
1916 contributed to the degradation of water resources, the
1917 fragmentation and destruction of wildlife habitats, the loss of
1918 recreation space, and the diminishment of wetlands and forests.

1919 (b) Imminent development of Florida's remaining natural
1920 areas and continuing increases in land values necessitate an
1921 aggressive program of public land acquisition during the next
1922 decade to preserve the quality of life that attracts so many
1923 people to Florida.

1924 (c) Acquisition of public lands, in fee simple or in any
1925 lesser interest, should be based on a comprehensive assessment
1926 of Florida's natural resources and planned so as to protect the
1927 integrity of ecological systems and to provide multiple
1928 benefits, including preservation of fish and wildlife habitat,
1929 recreation space, and water recharge areas. Governmental
1930 agencies responsible for public land acquisition should work
1931 together to purchase lands jointly and to coordinate individual
1932 purchases within ecological systems.

1933 (d) One of the purposes of the Florida Communities Trust
1934 program is to acquire, protect, and preserve open space and
1935 recreation properties within urban areas where pristine animal
1936 and plant communities no longer exist. These areas are often
1937 overlooked in other programs because of their smaller size and
1938 proximity to developed property. These smaller parcels are,
1939 however, critically important to the quality of life in these
1940 urban areas for the residents who live there as well as to the
1941 many visitors to the state. The trust shall consider projects
1942 submitted by local governments which further the goals,
1943 objectives, and policies of the conservation, recreation and

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1944 open space, or coastal elements of their local comprehensive
1945 plans or which serve to conserve natural resources or resolve
1946 land use conflicts.

1947 (e) South Florida's water supply and unique natural
1948 environment depend on the protection of lands buffering the East
1949 Everglades and the Everglades water conservation areas.

1950
1951 In addition, the Legislature recognizes the conflicting desires
1952 of the citizens of this state to prosper through economic
1953 development and to preserve the natural areas of Florida that
1954 development threatens to claim. The Legislature further
1955 recognizes the urgency of acquiring natural areas in the state
1956 for preservation, yet acknowledges the difficulty of ensuring
1957 adequate funding for accelerated acquisition in light of other
1958 equally critical financial needs of the state. ~~It is the~~
1959 ~~Legislature's desire and intent to fund the implementation of~~
1960 ~~the Florida Preservation 2000 Act for each of the 10 years of~~
1961 ~~the program's duration and to do so in a fiscally responsible~~
1962 ~~manner.~~

1963 (3) TITLE TO CERTAIN PROPERTY ACQUIRED WITH PRESERVATION
1964 2000 BONDS LAND ACQUISITION PROGRAMS SUPPLEMENTED. ~~Less the~~
1965 ~~costs of issuance, the costs of funding reserve accounts, and~~
1966 ~~other costs with respect to the bonds, the proceeds of bonds~~
1967 ~~issued pursuant to this act shall be deposited into the Florida~~
1968 ~~Preservation 2000 Trust Fund created by s. 375.045. In fiscal~~
1969 ~~year 2000-2001, for each Florida Preservation 2000 program~~
1970 ~~described in paragraphs (a)-(g), that portion of each program's~~
1971 ~~total remaining cash balance which, as of June 30, 2000, is in~~
1972 ~~excess of that program's total remaining appropriation balances~~

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1973 shall be redistributed by the department and deposited into the
1974 Save Our Everglades Trust Fund for land acquisition. For
1975 purposes of calculating the total remaining cash balances for
1976 this redistribution, the Florida Preservation 2000 Series 2000
1977 bond proceeds, including interest thereon, and the fiscal year
1978 1999-2000 General Appropriations Act amounts shall be deducted
1979 from the remaining cash and appropriation balances,
1980 respectively. The remaining proceeds shall be distributed by the
1981 Department of Environmental Protection in the following manner:

1982 (a) Fifty percent to the Department of Environmental
1983 Protection for the purchase of public lands as described in s.
1984 259.032. Of this 50 percent, at least one-fifth shall be used
1985 for the acquisition of coastal lands.

1986 (b) Thirty percent to the Department of Environmental
1987 Protection for the purchase of water management lands pursuant
1988 to s. 373.59, to be distributed among the water management
1989 districts as provided in that section. Funds received by each
1990 district may also be used for acquisition of lands necessary to
1991 implement surface water improvement and management plans or for
1992 acquisition of lands necessary to implement the Everglades
1993 Construction Project authorized by s. 373.4592.

1994 (c) Ten percent to the Department of Environmental
1995 Protection to provide land acquisition grants and loans to local
1996 governments through the Florida Communities Trust pursuant to
1997 part III of chapter 380. From funds allocated to the trust, \$3
1998 million annually shall be used by the Division of State Lands
1999 within the Department of Environmental Protection to implement
2000 the Green Swamp Land Protection Initiative specifically for the
2001 purchase of conservation easements, as defined in s.

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2002 ~~380.0677(3), of lands, or severable interests or rights in~~
2003 ~~lands, in the Green Swamp Area of Critical State Concern. From~~
2004 ~~funds allocated to the trust, \$3 million annually shall be used~~
2005 ~~by the Monroe County Comprehensive Plan Land Authority~~
2006 ~~specifically for the purchase of a real property interest in~~
2007 ~~those lands subject to the Rate of Growth Ordinances adopted by~~
2008 ~~local governments in Monroe County or those lands within the~~
2009 ~~boundary of an approved Conservation and Recreation Lands~~
2010 ~~project located within the Florida Keys or Key West Areas of~~
2011 ~~Critical State Concern; however, title to lands acquired within~~
2012 ~~the boundary of an approved Conservation and Recreation Lands~~
2013 ~~project may, in accordance with an approved joint acquisition~~
2014 ~~agreement, vest in the Board of Trustees of the Internal~~
2015 ~~Improvement Trust Fund. Of the remaining funds, one half shall~~
2016 ~~be matched by local governments on a dollar-for-dollar basis. To~~
2017 ~~the extent allowed by federal requirements for the use of bond~~
2018 ~~proceeds, the trust shall expend Preservation 2000 funds to~~
2019 ~~carry out the purposes of part III of chapter 380.~~

2020 ~~(d) Two and nine-tenths percent to the Department of~~
2021 ~~Environmental Protection for the purchase of inholdings and~~
2022 ~~additions to state parks. For the purposes of this paragraph,~~
2023 ~~"state park" means all real property in the state under the~~
2024 ~~jurisdiction of the Division of Recreation and Parks of the~~
2025 ~~department, or which may come under its jurisdiction.~~

2026 ~~(e) Two and nine-tenths percent to the Florida Forest~~
2027 ~~Service of the Department of Agriculture and Consumer Services~~
2028 ~~to fund the acquisition of state forest inholdings and additions~~
2029 ~~pursuant to s. 589.07.~~

2030 ~~(f) Two and nine-tenths percent to the Fish and Wildlife~~

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2031 ~~Conservation Commission to fund the acquisition of inholdings~~
2032 ~~and additions to lands managed by the commission which are~~
2033 ~~important to the conservation of fish and wildlife.~~

2034 ~~(g) One and three-tenths percent to the Department of~~
2035 ~~Environmental Protection for the Florida Greenways and Trails~~
2036 ~~Program, to acquire greenways and trails or greenways and trails~~
2037 ~~systems pursuant to chapter 260, including, but not limited to,~~
2038 ~~abandoned railroad rights-of-way and the Florida National Scenic~~
2039 ~~Trail.~~

2040
2041 ~~Local governments may use federal grants or loans, private~~
2042 ~~donations, or environmental mitigation funds, including~~
2043 ~~environmental mitigation funds required pursuant to s. 338.250,~~
2044 ~~for any part or all of any local match required for the purposes~~
2045 ~~described in this subsection. Bond proceeds allocated pursuant~~
2046 ~~to paragraph (c) may be used to purchase lands on the priority~~
2047 ~~lists developed pursuant to s. 259.035. Title to lands purchased~~
2048 ~~pursuant to former paragraphs (a), (d), (e), (f), or and (g) of~~
2049 ~~this subsection, Florida Statutes 2014, shall be vested in the~~
2050 ~~Board of Trustees of the Internal Improvement Trust Fund. Title~~
2051 ~~to lands purchased pursuant to former paragraph (c) of this~~
2052 ~~subsection, Florida Statutes 2014, may be vested in the Board of~~
2053 ~~Trustees of the Internal Improvement Trust Fund. The board of~~
2054 ~~trustees shall hold title to land protection agreements and~~
2055 ~~conservation easements that were or will be acquired pursuant to~~
2056 ~~former s. 380.0677, Florida Statutes 2014, and the Southwest~~
2057 ~~Florida Water Management District and the St. Johns River Water~~
2058 ~~Management District shall monitor such agreements and easements~~
2059 ~~within their respective districts until the state assumes this~~

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2060 responsibility.

2061 ~~(4) PROJECT CRITERIA.~~

2062 ~~(a) Proceeds of bonds issued pursuant to this act and~~
2063 ~~distributed pursuant to paragraphs (3) (a) and (b) shall be spent~~
2064 ~~only on projects which meet at least one of the following~~
2065 ~~criteria, as determined pursuant to paragraphs (b) and (c):~~

2066 ~~1. A significant portion of the land in the project is in~~
2067 ~~imminent danger of development, in imminent danger of loss of~~
2068 ~~its significant natural attributes, or in imminent danger of~~
2069 ~~subdivision which will result in multiple ownership and may make~~
2070 ~~acquisition of the project more costly or less likely to be~~
2071 ~~accomplished;~~

2072 ~~2. Compelling evidence exists that the land is likely to be~~
2073 ~~developed during the next 12 months, or appraisals made during~~
2074 ~~the past 5 years indicate an escalation in land value at an~~
2075 ~~average rate that exceeds the average rate of interest likely to~~
2076 ~~be paid on the bonds;~~

2077 ~~3. A significant portion of the land in the project serves~~
2078 ~~to protect or recharge groundwater and to protect other valuable~~
2079 ~~natural resources or provide space for natural resource based~~
2080 ~~recreation;~~

2081 ~~4. The project can be purchased at 80 percent of appraised~~
2082 ~~value or less;~~

2083 ~~5. A significant portion of the land in the project serves~~
2084 ~~as habitat for endangered, threatened, or rare species or serves~~
2085 ~~to protect natural communities which are listed by the Florida~~
2086 ~~Natural Areas Inventory as critically imperiled, imperiled, or~~
2087 ~~rare, or as excellent quality occurrences of natural~~
2088 ~~communities; or~~

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2089 ~~6. A significant portion of the land serves to preserve~~
2090 ~~important archaeological or historical sites.~~

2091 ~~(b) Each year that bonds are to be issued pursuant to this~~
2092 ~~act, the Land Acquisition and Management Advisory Council shall~~
2093 ~~review that year's approved Conservation and Recreation Lands~~
2094 ~~priority list and shall, by the first board meeting in February,~~
2095 ~~present to the Board of Trustees of the Internal Improvement~~
2096 ~~Trust Fund for approval a listing of projects on the list which~~
2097 ~~meet one or more of the criteria listed in paragraph (a). The~~
2098 ~~board may remove projects from the list developed pursuant to~~
2099 ~~this paragraph, but may not add projects.~~

2100 ~~(c) Each year that bonds are to be issued pursuant to this~~
2101 ~~act, each water management district governing board shall review~~
2102 ~~the lands on its current year's Save Our Rivers 5-year plan and~~
2103 ~~shall, by January 15, adopt a listing of projects from the plan~~
2104 ~~which meet one or more of the criteria listed in paragraph (a).~~

2105 ~~(d) In the acquisition of coastal lands pursuant to~~
2106 ~~paragraph (3) (a), the following additional criteria shall also~~
2107 ~~be considered:~~

2108 ~~1. The value of acquiring coastal high-hazard parcels,~~
2109 ~~consistent with hazard mitigation and postdisaster redevelopment~~
2110 ~~policies, in order to minimize the risk to life and property and~~
2111 ~~to reduce the need for future disaster assistance.~~

2112 ~~2. The value of acquiring beachfront parcels, irrespective~~
2113 ~~of size, to provide public access and recreational opportunities~~
2114 ~~in highly developed urban areas.~~

2115 ~~3. The value of acquiring identified parcels the~~
2116 ~~development of which would adversely affect coastal resources.~~

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2118 ~~When a nonprofit environmental organization which is tax exempt~~
2119 ~~pursuant to s. 501(c)(3) of the United States Internal Revenue~~
2120 ~~Code sells land to the state, such land at the time of such sale~~
2121 ~~shall be deemed to meet one or more of the criteria listed in~~
2122 ~~paragraph (a) if such land meets one or more of the criteria at~~
2123 ~~the time the organization purchases it. Listings of projects~~
2124 ~~compiled pursuant to paragraphs (b) and (c) may be revised to~~
2125 ~~include projects on the Conservation and Recreation Lands~~
2126 ~~priority list or in a water management district's 5-year plan~~
2127 ~~which come under the criteria in paragraph (a) after the dates~~
2128 ~~specified in paragraph (b) or paragraph (c). The requirement of~~
2129 ~~paragraph (3)(a) regarding coastal lands is met as long as an~~
2130 ~~average of one fifth of the cumulative proceeds allocated~~
2131 ~~through fiscal year 1999-2000 pursuant to that paragraph is used~~
2132 ~~to purchase coastal lands.~~

2133 ~~(e) The Legislature finds that the Florida Preservation~~
2134 ~~2000 Program has provided financial resources that have enabled~~
2135 ~~the acquisition of significant amounts of land for public~~
2136 ~~ownership in the first 7 years of the program's existence. In~~
2137 ~~the remaining years of the Florida Preservation 2000 Program,~~
2138 ~~agencies that receive funds are encouraged to better coordinate~~
2139 ~~their expenditures so that future acquisitions, when combined~~
2140 ~~with previous acquisitions, will form more complete patterns of~~
2141 ~~protection for natural areas and functioning ecosystems to~~
2142 ~~better accomplish the intent of paragraph (2)(c).~~

2143 ~~(f) The Legislature intends that, in the remaining years of~~
2144 ~~the Florida Preservation 2000 Program, emphasis be given to the~~
2145 ~~completion of projects in which one or more parcels have already~~
2146 ~~been acquired and to the acquisition of lands containing~~

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2147 ~~ecological resources which are either not represented or~~
2148 ~~underrepresented on lands currently in public ownership. The~~
2149 ~~Legislature also intends that future acquisitions under the~~
2150 ~~Florida Preservation 2000 Program be limited to projects on the~~
2151 ~~current project lists, or any additions to the list as~~
2152 ~~determined and prioritized by the study, or those projects that~~
2153 ~~can reasonably be expected to be acquired by the end of the~~
2154 ~~Florida Preservation 2000 Program.~~

2155 ~~(4)(5) FLORIDA FOREST SERVICE FUND USE. Any funds received~~
2156 ~~by the Florida Forest Service from the Preservation 2000 Trust~~
2157 ~~Fund pursuant to paragraph (3) (c) shall be used only to pay the~~
2158 ~~cost of the acquisition of lands in furtherance of outdoor~~
2159 ~~recreation and natural resources conservation in this state. The~~
2160 ~~administration and use of any funds received by the Florida~~
2161 ~~Forest Service from the Preservation 2000 Trust Fund will be~~
2162 ~~subject to such terms and conditions imposed thereon by the~~
2163 ~~agency of the state responsible for the issuance of the revenue~~
2164 ~~bonds, the proceeds of which are deposited in the Preservation~~
2165 ~~2000 Trust Fund, including restrictions imposed to ensure that~~
2166 ~~the interest on any such revenue bonds issued by the state as~~
2167 ~~tax-exempt revenue bonds will not be included in the gross~~
2168 ~~income of the holders of such bonds for federal income tax~~
2169 ~~purposes. All deeds or leases with respect to any real property~~
2170 ~~acquired with Preservation 2000 funds received by the Florida~~
2171 ~~Forest Service must from the Preservation 2000 Trust Fund shall~~
2172 ~~contain sufficient such covenants and restrictions as are~~
2173 ~~sufficient to ensure that the use of such real property at all~~
2174 ~~times complies with s. 375.051 and s. 9, Art. XII of the 1968~~
2175 ~~Constitution of Florida, and shall contain reverter clauses~~

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2176 providing for the reversion of title to such property to the
2177 Board of Trustees of the Internal Improvement Trust Fund or, in
2178 the case of a lease of such property, providing for termination
2179 of the lease upon a failure to use the property conveyed thereby
2180 for such purposes.

2181 (5) ~~(6)~~ DISPOSITION OF LANDS.—

2182 (a) Any lands acquired pursuant to former paragraphs
2183 ~~paragraph (3) (a), paragraph (3) (c), paragraph (3) (d), paragraph~~
2184 ~~(3) (e), paragraph (3) (f), or paragraph (3) (g)~~ of this section,
2185 Florida Statutes 2014, if title to such lands is vested in the
2186 Board of Trustees of the Internal Improvement Trust Fund, may be
2187 disposed of by the Board of Trustees of the Internal Improvement
2188 Trust Fund in accordance with the provisions and procedures set
2189 forth in s. 253.034(6), and lands acquired pursuant to former
2190 paragraph (3) (b) of this section, Florida Statutes 2014, may be
2191 disposed of by the owning water management district in
2192 accordance with the procedures and provisions set forth in ss.
2193 373.056 and 373.089 provided such disposition also shall satisfy
2194 the requirements of paragraphs (b) and (c).

2195 (b) Before land acquired with Preservation 2000 funds may
2196 be surplus as required by s. 253.034(6), ~~or~~ determined to be
2197 no longer required for its purposes under s. 373.056(4), as
2198 ~~whichever may be~~ applicable, there shall first be a
2199 determination by the Board of Trustees of the Internal
2200 Improvement Trust Fund, or, in the case of water management
2201 district lands, by the owning water management district, that
2202 such land no longer needs to be preserved in furtherance of the
2203 intent of the Florida Preservation 2000 Act. Any lands eligible
2204 to be disposed of under this procedure also may be used to

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2205 acquire other lands through an exchange of lands ~~if, provided~~
2206 such lands obtained in an exchange are described in the same
2207 paragraph of former subsection (3) of this section, Florida
2208 Statutes 2014, as the lands disposed.

2209 (c) ~~Notwithstanding paragraphs (a) and (b), no such~~
2210 ~~disposition of land shall be made if such disposition would have~~
2211 ~~the effect of causing all or any portion of the interest on any~~
2212 ~~revenue bonds issued to fund the Florida Preservation 2000 Act~~
2213 ~~to lose their exclusion from gross income for purposes of~~
2214 ~~federal income taxation. Any Revenue derived from the disposal~~
2215 ~~of such lands acquired with Preservation 2000 funds may not be~~
2216 ~~used for any purpose except for deposit into the Florida~~
2217 ~~Preservation 2000 Trust Fund, or the Florida Forever Trust Fund~~
2218 ~~within the Department of Environmental Protection, for recredit~~
2219 ~~to the share held under former subsection (3) of this section,~~
2220 Florida Statutes 2014, in which such disposed land is described.

2221 (6)(7) ALTERNATE USES OF ACQUIRED LANDS.-

2222 (a) The Board of Trustees of the Internal Improvement Trust
2223 Fund, or, in the case of water management district lands, the
2224 owning water management district, may authorize the granting of
2225 a lease, easement, or license for the use of any lands acquired
2226 pursuant to former subsection (3) of this section, Florida
2227 Statutes 2014, for any governmental use permitted by s. 17, Art.
2228 IX of the State Constitution of 1885, as adopted by s. 9(a),
2229 Art. XII of the State Constitution, and any other incidental
2230 public or private use that is determined by the board or the
2231 owning water management district to be compatible with the
2232 purposes for which such lands were acquired.

2233 (b) Any existing lease, easement, or license acquired for

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2234 incidental public or private use on, under, or across any lands
2235 acquired pursuant to former subsection (3) of this section,
2236 Florida Statutes 2014, shall be presumed not to be incompatible
2237 with the purposes for which such lands were acquired.

2238 ~~(c) Notwithstanding the provisions of paragraph (a), no~~
2239 ~~such lease, easement, or license shall be entered into by the~~
2240 ~~Department of Environmental Protection or other appropriate~~
2241 ~~state agency if the granting of such lease, easement, or license~~
2242 ~~would adversely affect the exclusion of the interest on any~~
2243 ~~revenue bonds issued to fund the acquisition of the affected~~
2244 ~~lands from gross income for federal income tax purposes, as~~
2245 ~~described in s. 375.045(4).~~

2246 (7) ALTERNATIVES TO FEE SIMPLE ACQUISITION. ~~(8)~~

2247 (a) The Legislature finds that, with the increasing
2248 pressures on the natural areas of this state, the state must
2249 develop creative techniques to maximize the use of acquisition
2250 and management moneys. The Legislature ~~also~~ finds that the
2251 state's environmental land-buying agencies should be encouraged
2252 to augment their traditional, fee simple acquisition programs
2253 with the use of alternatives to fee simple acquisition
2254 techniques. The Legislature also finds that using alternatives
2255 to fee simple acquisition by public land-buying agencies will
2256 achieve the following public policy goals:

2257 1. Allow more lands to be brought under public protection
2258 for preservation, conservation, and recreational purposes at
2259 less expense using public funds.

2260 2. Retain, on local government tax rolls, some portion of
2261 or interest in lands that ~~which~~ are under public protection.

2262 3. Reduce long-term management costs by allowing private

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2263 property owners to continue acting as stewards of the land, as
2264 ~~where~~ appropriate.

2265
2266 Therefore, it is the intent of the Legislature that public land-
2267 buying agencies develop programs to pursue alternatives to fee
2268 simple acquisition and to educate private landowners about such
2269 alternatives and the benefits of such alternatives. It also is
2270 the intent of the Legislature that the department and the water
2271 management districts spend a portion of their shares of
2272 Preservation 2000 bond proceeds to purchase eligible properties
2273 using alternatives to fee simple acquisition. Finally, it is the
2274 intent of the Legislature that public agencies acquire lands in
2275 fee simple for public access and recreational activities. Lands
2276 protected using alternatives to fee simple acquisition
2277 techniques may ~~shall~~ not be accessible to the public unless such
2278 access is negotiated with and agreed to by the private
2279 landowners who retain interests in such lands.

2280 (b) The Land Acquisition Advisory Council and the water
2281 management districts shall identify, within their 1997
2282 acquisition plans, those projects that ~~which~~ require a full fee
2283 simple interest to achieve the public policy goals, along with
2284 the reasons why full title is determined to be necessary. The
2285 council and the water management districts may use alternatives
2286 to fee simple acquisition to bring the remaining projects in
2287 their acquisition plans under public protection. For the
2288 purposes of this subsection, the term "alternatives to fee
2289 simple acquisition" includes the, ~~but is not limited to:~~
2290 purchase of development rights; conservation easements; flowage
2291 easements; the purchase of timber rights, mineral rights, or

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2292 hunting rights; the purchase of agricultural interests or
2293 silvicultural interests; land protection agreements; fee simple
2294 acquisitions with reservations; or any other acquisition
2295 technique that ~~which~~ achieves the public policy goals identified
2296 ~~listed~~ in paragraph (a). It is presumed that a private landowner
2297 retains the full range of uses for all the rights or interests
2298 in the landowner's land which are not specifically acquired by
2299 the public agency. Life estates and fee simple acquisitions with
2300 leaseback provisions do ~~shall~~ not qualify as an alternative to
2301 fee simple acquisition under this subsection, although the
2302 department and the districts are encouraged to use such
2303 techniques if ~~where~~ appropriate.

2304 (c) The department and each water management district shall
2305 implement initiatives to use alternatives to fee simple
2306 acquisition and to educate private landowners about such
2307 alternatives. These initiatives must ~~shall~~ include at least two
2308 acquisitions a year by the department and each water management
2309 district utilizing alternatives to fee simple.

2310 (d) The Legislature finds that the lack of direct sales
2311 comparison information has served as an impediment to successful
2312 implementation of alternatives to fee simple acquisition. It is
2313 the intent of the Legislature that, in the absence of direct
2314 comparable sales information, appraisals of alternatives to fee
2315 simple acquisitions be based on the difference between the full
2316 fee simple valuation and the value of the interests remaining
2317 with the seller after acquisition.

2318 (e) The public agency that ~~which~~ has been assigned
2319 management responsibility shall inspect and monitor any less-
2320 than-fee-simple interest according to the terms of the purchase

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2321 agreement relating to such interest.

2322 (f) The department and the water management districts may
2323 enter into joint acquisition agreements to jointly fund the
2324 purchase of lands using alternatives to fee simple techniques.

2325 (8) PUBLIC RECREATIONAL USE.—An agency or water management
2326 district that acquired lands using Preservation 2000 funds
2327 distributed pursuant to former subsection (3) of this section,
2328 Florida Statutes 2014, shall manage such lands to make them
2329 available for public recreational use if the recreational use
2330 does not interfere with the protection of natural resource
2331 values. The agency or district may enter into an agreement with
2332 the department or another appropriate state agency to transfer
2333 management authority or lease to such agencies' lands purchased
2334 with Preservation 2000 funds for the purpose of managing the
2335 lands to make them available for public recreational use. The
2336 water management districts and the department shall take action
2337 to control the growth of nonnative invasive plant species on
2338 lands they manage which were purchased with Preservation 2000
2339 funds.

2340 Section 27. Paragraph (a) of subsection (2), paragraphs
2341 (c), (1), and (m) of subsection (3), subsection (4), present
2342 subsection (5), paragraph (a) of present subsection (6), present
2343 subsection (10), paragraph (i) of present subsection (16), and
2344 present subsections (17) and (21) of section 259.105, Florida
2345 Statutes, are amended to read:

2346 259.105 The Florida Forever Act.—

2347 (2) (a) The Legislature finds and declares that:

2348 1. Land acquisition programs have provided tremendous
2349 financial resources for purchasing environmentally significant

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2350 lands to protect those lands from imminent development or
2351 alteration, thereby ensuring present and future generations'
2352 access to important waterways, open spaces, and recreation and
2353 conservation lands.

2354 2. The continued alteration and development of Florida's
2355 natural and rural areas to accommodate the state's growing
2356 population have contributed to the degradation of water
2357 resources, the fragmentation and destruction of wildlife
2358 habitats, the loss of outdoor recreation space, and the
2359 diminishment of wetlands, forests, working landscapes, and
2360 coastal open space.

2361 3. The potential development of Florida's remaining natural
2362 areas and escalation of land values require government efforts
2363 to restore, bring under public protection, or acquire lands and
2364 water areas to preserve the state's essential ecological
2365 functions and invaluable quality of life.

2366 4. It is essential to protect the state's ecosystems by
2367 promoting a more efficient use of land, to ensure opportunities
2368 for viable agricultural activities on working lands, and to
2369 promote vital rural and urban communities that support and
2370 produce development patterns consistent with natural resource
2371 protection.

2372 5. Florida's groundwater, surface waters, and springs are
2373 under tremendous pressure due to population growth and economic
2374 expansion and require special protection and restoration
2375 efforts, including the protection of uplands and springsheds
2376 that provide vital recharge to aquifer systems and are critical
2377 to the protection of water quality and water quantity of the
2378 aquifers and springs. To ensure that sufficient quantities of

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2379 water are available to meet the current and future needs of the
2380 natural systems and citizens of the state, and assist in
2381 achieving the planning goals of the department and the water
2382 management districts, water resource development projects on
2383 public lands, where compatible with the resource values of and
2384 management objectives for the lands, are appropriate.

2385 6. The needs of urban, suburban, and small communities in
2386 Florida for high-quality outdoor recreational opportunities,
2387 greenways, trails, and open space have not been fully met by
2388 previous acquisition programs. Through such programs as the
2389 Florida Communities Trust and the Florida Recreation Development
2390 Assistance Program, the state shall place additional emphasis on
2391 acquiring, protecting, preserving, and restoring open space,
2392 ecological greenways, and recreation properties within urban,
2393 suburban, and rural areas where pristine natural communities or
2394 water bodies no longer exist because of the proximity of
2395 developed property.

2396 7. Many of Florida's unique ecosystems, such as the Florida
2397 Everglades, are facing ecological collapse due to Florida's
2398 burgeoning population growth and other economic activities. To
2399 preserve these valuable ecosystems for future generations,
2400 essential parcels of land must be acquired to facilitate
2401 ecosystem restoration.

2402 8. Access to public lands to support a broad range of
2403 outdoor recreational opportunities and the development of
2404 necessary infrastructure, where compatible with the resource
2405 values of and management objectives for such lands, promotes an
2406 appreciation for Florida's natural assets and improves the
2407 quality of life.

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2408 9. Acquisition of lands, in fee simple, less-than-fee
2409 interest, or other techniques shall be based on a comprehensive
2410 science-based assessment of Florida's natural resources which
2411 targets essential conservation lands by prioritizing all current
2412 and future acquisitions based on a uniform set of data and
2413 planned so as to protect the integrity and function of
2414 ecological systems and working landscapes, and provide multiple
2415 benefits, including preservation of fish and wildlife habitat,
2416 recreation space for urban and rural areas, and the restoration
2417 of natural water storage, flow, and recharge.

2418 10. The state has embraced performance-based program
2419 budgeting as a tool to evaluate the achievements of publicly
2420 funded agencies, build in accountability, and reward those
2421 agencies which are able to consistently achieve quantifiable
2422 goals. While previous and existing state environmental programs
2423 have achieved varying degrees of success, few of these programs
2424 can be evaluated as to the extent of their achievements,
2425 primarily because performance measures, standards, outcomes, and
2426 goals were not established at the outset. Therefore, the Florida
2427 Forever program shall be developed and implemented in the
2428 context of measurable state goals and objectives.

2429 11. The state must play a major role in the recovery and
2430 management of its imperiled species through the acquisition,
2431 restoration, enhancement, and management of ecosystems that can
2432 support the major life functions of such species. It is the
2433 intent of the Legislature to support local, state, and federal
2434 programs that result in net benefit to imperiled species habitat
2435 by providing public and private land owners meaningful
2436 incentives for acquiring, restoring, managing, and repopulating

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2437 habitats for imperiled species. It is the further intent of the
2438 Legislature that public lands, both existing and to be acquired,
2439 identified by the lead land managing agency, in consultation
2440 with the Florida Fish and Wildlife Conservation Commission for
2441 animals or the Department of Agriculture and Consumer Services
2442 for plants, as habitat or potentially restorable habitat for
2443 imperiled species, be restored, enhanced, managed, and
2444 repopulated as habitat for such species to advance the goals and
2445 objectives of imperiled species management consistent with the
2446 purposes for which such lands are acquired without restricting
2447 other uses identified in the management plan. It is also the
2448 intent of the Legislature that of the proceeds distributed
2449 pursuant to subsection (3), additional consideration be given to
2450 acquisitions that achieve a combination of conservation goals,
2451 including the restoration, enhancement, management, or
2452 repopulation of habitat for imperiled species. The Acquisition
2453 and Restoration Council, in addition to the criteria in
2454 subsection (9), shall give weight to projects that include
2455 acquisition, restoration, management, or repopulation of habitat
2456 for imperiled species. The term "imperiled species" as used in
2457 this chapter and chapter 253, means plants and animals that are
2458 federally listed under the Endangered Species Act, or state-
2459 listed by the Fish and Wildlife Conservation Commission or the
2460 Department of Agriculture and Consumer Services.

2461 a. As part of the state's role, all state lands that have
2462 imperiled species habitat shall include as a consideration in
2463 management plan development the restoration, enhancement,
2464 management, and repopulation of such habitats. In addition, the
2465 lead land managing agency of such state lands may use fees

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2466 received from public or private entities for projects to offset
2467 adverse impacts to imperiled species or their habitat in order
2468 to restore, enhance, manage, repopulate, or acquire land and to
2469 implement land management plans developed under s. 253.034 or a
2470 land management prospectus developed and implemented under this
2471 chapter. Such fees shall be deposited into a foundation or fund
2472 created by each land management agency under s. 379.223, s.
2473 589.012, or s. 259.032 (9) (c) ~~s. 259.032(11)(e)~~, to be used
2474 solely to restore, manage, enhance, repopulate, or acquire
2475 imperiled species habitat.

2476 b. Where habitat or potentially restorable habitat for
2477 imperiled species is located on state lands, the Fish and
2478 Wildlife Conservation Commission and the Department of
2479 Agriculture and Consumer Services shall be included on any
2480 advisory group required under chapter 253, and the short-term
2481 and long-term management goals required under chapter 253 must
2482 advance the goals and objectives of imperiled species management
2483 consistent with the purposes for which the land was acquired
2484 without restricting other uses identified in the management
2485 plan.

2486 12. There is a need to change the focus and direction of
2487 the state's major land acquisition programs and to extend
2488 funding and bonding capabilities, so that future generations may
2489 enjoy the natural resources of this state.

2490 (3) Less the costs of issuing and the costs of funding
2491 reserve accounts and other costs associated with bonds, the
2492 proceeds of cash payments or bonds issued pursuant to this
2493 section shall be deposited into the Florida Forever Trust Fund
2494 created by s. 259.1051. The proceeds shall be distributed by the

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2495 Department of Environmental Protection in the following manner:
2496 (c) Twenty-one percent to the Department of Environmental
2497 Protection for use by the Florida Communities Trust for the
2498 purposes of part III of chapter 380, as described and limited by
2499 this subsection, and grants to local governments or nonprofit
2500 environmental organizations that are tax-exempt under s.
2501 501(c)(3) of the United States Internal Revenue Code for the
2502 acquisition of community-based projects, urban open spaces,
2503 parks, and greenways to implement local government comprehensive
2504 plans. From funds available to the trust and used for land
2505 acquisition, 75 percent shall be matched by local governments on
2506 a dollar-for-dollar basis. The Legislature intends that the
2507 Florida Communities Trust emphasize funding projects in low-
2508 income or otherwise disadvantaged communities and projects that
2509 provide areas for direct water access and water-dependent
2510 facilities that are open to the public and offer public access
2511 by vessels to waters of the state, including boat ramps and
2512 associated parking and other support facilities. At least 30
2513 percent of the total allocation provided to the trust shall be
2514 used in Standard Metropolitan Statistical Areas, but one-half of
2515 that amount shall be used in localities in which the project
2516 site is located in built-up commercial, industrial, or mixed-use
2517 areas and functions to intersperse open spaces within congested
2518 urban core areas. From funds allocated to the trust, no less
2519 than 5 percent shall be used to acquire lands for recreational
2520 trail systems, provided that in the event these funds are not
2521 needed for such projects, they will be available for other trust
2522 projects. Local governments may use federal grants or loans,
2523 private donations, or environmental mitigation funds, ~~including~~

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2524 ~~environmental mitigation funds required pursuant to s. 338.250,~~
2525 for any part or all of any local match required for acquisitions
2526 funded through the Florida Communities Trust. Any lands
2527 purchased by nonprofit organizations using funds allocated under
2528 this paragraph must provide for such lands to remain permanently
2529 in public use through a reversion of title to local or state
2530 government, conservation easement, or other appropriate
2531 mechanism. Projects funded with funds allocated to the trust
2532 shall be selected in a competitive process measured against
2533 criteria adopted in rule by the trust.

2534 (1) For the purposes of paragraphs (e), (f), (g), and (h),
2535 the agencies that receive the funds shall develop their
2536 individual acquisition or restoration lists in accordance with
2537 specific criteria and numeric performance measures developed
2538 pursuant to s. 259.035(4). Proposed additions may be acquired if
2539 they are identified within the original project boundary, the
2540 management plan required pursuant to s. 253.034(5), or the
2541 management prospectus required pursuant to s. 259.032(7)(d) ~~s.~~
2542 ~~259.032(9)(d)~~. Proposed additions not meeting the requirements
2543 of this paragraph shall be submitted to the Acquisition and
2544 Restoration Council for approval. The council may only approve
2545 the proposed addition if it meets two or more of the following
2546 criteria: serves as a link or corridor to other publicly owned
2547 property; enhances the protection or management of the property;
2548 would add a desirable resource to the property; would create a
2549 more manageable boundary configuration; has a high resource
2550 value that otherwise would be unprotected; or can be acquired at
2551 less than fair market value.

2552 ~~(m) Notwithstanding paragraphs (a)–(j) and for the 2014–~~

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2553 ~~2015 fiscal year only:~~

2554 ~~1. Five million dollars to the Department of Agriculture~~
2555 ~~and Consumer Services for the acquisition of agricultural lands~~
2556 ~~through perpetual conservation easements and other perpetual~~
2557 ~~less than fee techniques, which will achieve the objectives of~~
2558 ~~Florida Forever and s. 570.71.~~

2559 ~~2. The remaining moneys appropriated from the Florida~~
2560 ~~Forever Trust Fund shall be distributed only to the Division of~~
2561 ~~State Lands within the Department of Environmental Protection~~
2562 ~~for land acquisitions that are less than fee interest, for~~
2563 ~~partnerships in which the state's portion of the acquisition~~
2564 ~~cost is no more than 50 percent, or for conservation lands~~
2565 ~~needed for military buffering or springs or water resources~~
2566 ~~protection.~~

2567
2568 ~~This paragraph expires July 1, 2015.~~

2569 ~~(4) Notwithstanding subsection (3) and for the 2014-2015~~
2570 ~~fiscal year only, the funds appropriated in section 56 of the~~
2571 ~~2014-2015 General Appropriations Act may be provided to water~~
2572 ~~management districts for land acquisitions, including less than~~
2573 ~~fee interest, identified by water management districts as being~~
2574 ~~needed for water resource protection or ecosystem restoration.~~
2575 ~~This subsection expires July 1, 2015.~~

2576 ~~(4)(5)~~ It is the intent of the Legislature that projects or
2577 acquisitions funded pursuant to paragraphs (3) (a) and (b)
2578 contribute to the achievement of the following goals, which
2579 shall be evaluated in accordance with specific criteria and
2580 numeric performance measures developed pursuant to s.

2581 259.035 (4) :

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- 2582 (a) Enhance the coordination and completion of land
2583 acquisition projects, as measured by:
- 2584 1. The number of acres acquired through the state's land
2585 acquisition programs that contribute to the enhancement of
2586 essential natural resources, ecosystem service parcels, and
2587 connecting linkage corridors as identified and developed by the
2588 best available scientific analysis;
 - 2589 2. The number of acres protected through the use of
2590 alternatives to fee simple acquisition; or
 - 2591 3. The number of shared acquisition projects among Florida
2592 Forever funding partners and partners with other funding
2593 sources, including local governments and the Federal Government.
- 2594 (b) Increase the protection of Florida's biodiversity at
2595 the species, natural community, and landscape levels, as
2596 measured by:
- 2597 1. The number of acres acquired of significant strategic
2598 habitat conservation areas;
 - 2599 2. The number of acres acquired of highest priority
2600 conservation areas for Florida's rarest species;
 - 2601 3. The number of acres acquired of significant landscapes,
2602 landscape linkages, and conservation corridors, giving priority
2603 to completing linkages;
 - 2604 4. The number of acres acquired of underrepresented native
2605 ecosystems;
 - 2606 5. The number of landscape-sized protection areas of at
2607 least 50,000 acres that exhibit a mosaic of predominantly intact
2608 or restorable natural communities established through new
2609 acquisition projects or augmentations to previous projects; or
 - 2610 6. The percentage increase in the number of occurrences of

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2611 imperiled species on publicly managed conservation areas.

2612 (c) Protect, restore, and maintain the quality and natural
2613 functions of land, water, and wetland systems of the state, as
2614 measured by:

2615 1. The number of acres of publicly owned land identified as
2616 needing restoration, enhancement, and management, acres
2617 undergoing restoration or enhancement, acres with restoration
2618 activities completed, and acres managed to maintain such
2619 restored or enhanced conditions; the number of acres which
2620 represent actual or potential imperiled species habitat; the
2621 number of acres which are available pursuant to a management
2622 plan to restore, enhance, repopulate, and manage imperiled
2623 species habitat; and the number of acres of imperiled species
2624 habitat managed, restored, enhanced, repopulated, or acquired;

2625 2. The percentage of water segments that fully meet,
2626 partially meet, or do not meet their designated uses as reported
2627 in the Department of Environmental Protection's State Water
2628 Quality Assessment 305(b) Report;

2629 3. The percentage completion of targeted capital
2630 improvements in surface water improvement and management plans
2631 created under s. 373.453(2), regional or master stormwater
2632 management system plans, or other adopted restoration plans;

2633 4. The number of acres acquired that protect natural
2634 floodplain functions;

2635 5. The number of acres acquired that protect surface waters
2636 of the state;

2637 6. The number of acres identified for acquisition to
2638 minimize damage from flooding and the percentage of those acres
2639 acquired;

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2640 7. The number of acres acquired that protect fragile
2641 coastal resources;

2642 8. The number of acres of functional wetland systems
2643 protected;

2644 9. The percentage of miles of critically eroding beaches
2645 contiguous with public lands that are restored or protected from
2646 further erosion;

2647 10. The percentage of public lakes and rivers in which
2648 invasive, nonnative aquatic plants are under maintenance
2649 control; or

2650 11. The number of acres of public conservation lands in
2651 which upland invasive, exotic plants are under maintenance
2652 control.

2653 (d) Ensure that sufficient quantities of water are
2654 available to meet the current and future needs of natural
2655 systems and the citizens of the state, as measured by:

2656 1. The number of acres acquired which provide retention and
2657 storage of surface water in naturally occurring storage areas,
2658 such as lakes and wetlands, consistent with the maintenance of
2659 water resources or water supplies and consistent with district
2660 water supply plans;

2661 2. The quantity of water made available through the water
2662 resource development component of a district water supply plan
2663 for which a water management district is responsible; or

2664 3. The number of acres acquired of groundwater recharge
2665 areas critical to springs, sinks, aquifers, other natural
2666 systems, or water supply.

2667 (e) Increase natural resource-based public recreational and
2668 educational opportunities, as measured by:

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- 2669 1. The number of acres acquired that are available for
2670 natural resource-based public recreation or education;
- 2671 2. The miles of trails that are available for public
2672 recreation, giving priority to those that provide significant
2673 connections including those that will assist in completing the
2674 Florida National Scenic Trail; or
- 2675 3. The number of new resource-based recreation facilities,
2676 by type, made available on public land.
- 2677 (f) Preserve significant archaeological or historic sites,
2678 as measured by:
- 2679 1. The increase in the number of and percentage of historic
2680 and archaeological properties listed in the Florida Master Site
2681 File or National Register of Historic Places which are protected
2682 or preserved for public use; or
- 2683 2. The increase in the number and percentage of historic
2684 and archaeological properties that are in state ownership.
- 2685 (g) Increase the amount of forestland available for
2686 sustainable management of natural resources, as measured by:
- 2687 1. The number of acres acquired that are available for
2688 sustainable forest management;
- 2689 2. The number of acres of state-owned forestland managed
2690 for economic return in accordance with current best management
2691 practices;
- 2692 3. The number of acres of forestland acquired that will
2693 serve to maintain natural groundwater recharge functions; or
- 2694 4. The percentage and number of acres identified for
2695 restoration actually restored by reforestation.
- 2696 (h) Increase the amount of open space available in urban
2697 areas, as measured by:

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2698 1. The percentage of local governments that participate in
2699 land acquisition programs and acquire open space in urban cores;
2700 or

2701 2. The percentage and number of acres of purchases of open
2702 space within urban service areas.

2703
2704 Florida Forever projects and acquisitions funded pursuant to
2705 paragraph (3)(c) shall be measured by goals developed by rule by
2706 the Florida Communities Trust Governing Board created in s.
2707 380.504.

2708 (5)~~(6)~~(a) All lands acquired pursuant to this section shall
2709 be managed for multiple-use purposes, where compatible with the
2710 resource values of and management objectives for such lands. As
2711 used in this section, "multiple-use" includes, but is not
2712 limited to, outdoor recreational activities as described in ss.
2713 253.034 and 259.032(7)(b) ~~259.032(9)(b)~~, water resource
2714 development projects, sustainable forestry management, carbon
2715 sequestration, carbon mitigation, or carbon offsets.

2716 (9)~~(10)~~ The Acquisition and Restoration Council shall
2717 recommend rules for adoption by the board of trustees to
2718 competitively evaluate, select, and rank projects eligible for
2719 Florida Forever funds pursuant to paragraph (3)(b) ~~and for~~
2720 ~~additions to the Conservation and Recreation Lands list pursuant~~
2721 ~~to ss. 259.032 and 259.101(4)~~. In developing these proposed
2722 rules, the Acquisition and Restoration Council shall give weight
2723 to the following criteria:

2724 (a) The project meets multiple goals described in
2725 subsection (4).

2726 (b) The project is part of an ongoing governmental effort

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2727 to restore, protect, or develop land areas or water resources.

2728 (c) The project enhances or facilitates management of
2729 properties already under public ownership.

2730 (d) The project has significant archaeological or historic
2731 value.

2732 (e) The project has funding sources that are identified and
2733 assured through at least the first 2 years of the project.

2734 (f) The project contributes to the solution of water
2735 resource problems on a regional basis.

2736 (g) The project has a significant portion of its land area
2737 in imminent danger of development, in imminent danger of losing
2738 its significant natural attributes or recreational open space,
2739 or in imminent danger of subdivision which would result in
2740 multiple ownership and make acquisition of the project costly or
2741 less likely to be accomplished.

2742 (h) The project implements an element from a plan developed
2743 by an ecosystem management team.

2744 (i) The project is one of the components of the Everglades
2745 restoration effort.

2746 (j) The project may be purchased at 80 percent of appraised
2747 value.

2748 (k) The project may be acquired, in whole or in part, using
2749 alternatives to fee simple, including but not limited to, tax
2750 incentives, mitigation funds, or other revenues; the purchase of
2751 development rights, hunting rights, agricultural or
2752 silvicultural rights, or mineral rights; or obtaining
2753 conservation easements or flowage easements.

2754 (l) The project is a joint acquisition, either among public
2755 agencies, nonprofit organizations, or private entities, or by a

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2756 public-private partnership.

2757 (15)~~(16)~~ The Acquisition and Restoration Council shall
2758 submit to the board of trustees, with its list of projects, a
2759 report that includes, but shall not be limited to, the following
2760 information for each project listed:

2761 (i) A management policy statement for the project and a
2762 management prospectus pursuant to s. 259.032(7)(d) ~~s.~~
2763 ~~259.032(9)(d)~~.

2764 (16)~~(17)~~ All proposals for projects pursuant to paragraph
2765 (3)(b) shall be implemented only if adopted by the Acquisition
2766 and Restoration Council and approved by the board of trustees.
2767 The council shall consider and evaluate in writing the merits
2768 and demerits of each project that is proposed for Florida
2769 Forever funding and ~~each proposed addition to the Conservation
2770 and Recreation Lands list program~~. The council shall ensure that
2771 each proposed project will meet a stated public purpose for the
2772 restoration, conservation, or preservation of environmentally
2773 sensitive lands and water areas or for providing outdoor
2774 recreational opportunities ~~and that each proposed addition to
2775 the Conservation and Recreation Lands list will meet the public
2776 purposes under s. 259.032(3) and, when applicable, s.~~
2777 ~~259.101(4)~~. The council also shall determine whether the project
2778 or addition conforms, where applicable, with the comprehensive
2779 plan developed pursuant to s. 259.04(1)(a), the comprehensive
2780 multipurpose outdoor recreation plan developed pursuant to s.
2781 375.021, the state lands management plan adopted pursuant to s.
2782 253.03(7), the water resources work plans developed pursuant to
2783 s. 373.199, and the provisions of this section.

2784 (20)~~(21)~~ Lands listed as projects for acquisition under the

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2785 Florida Forever program may be managed for conservation pursuant
2786 to s. 259.032, on an interim basis by a private party in
2787 anticipation of a state purchase in accordance with a
2788 contractual arrangement between the acquiring agency and the
2789 private party that may include management service contracts,
2790 leases, cost-share arrangements, or resource conservation
2791 agreements. Lands designated as eligible under this subsection
2792 shall be managed to maintain or enhance the resources the state
2793 is seeking to protect by acquiring the land and to accelerate
2794 public access to the lands as soon as practicable. Funding for
2795 these contractual arrangements may originate from the
2796 documentary stamp tax revenue deposited into the Land
2797 Acquisition Conservation and Recreation Lands Trust Fund and
2798 Water Management Lands Trust Fund. No more than \$6.2 million may
2799 be expended from the Land Acquisition Trust Fund ~~5 percent of~~
2800 ~~funds allocated under the trust funds shall be expended~~ for this
2801 purpose.

2802 Section 28. Subsections (1) and (3) of section 259.1051,
2803 Florida Statutes, are amended to read:

2804 259.1051 Florida Forever Trust Fund.—

2805 (1) There is created the Florida Forever Trust Fund to
2806 carry out the purposes of ss. 259.032, 259.105, 259.1052, and
2807 375.031. The Florida Forever Trust Fund shall be held and
2808 administered by the Department of Environmental Protection.
2809 Proceeds from the sale of bonds, except proceeds of refunding
2810 bonds, issued under s. 215.618 and payable from moneys
2811 transferred to the Land Acquisition Trust Fund under s.
2812 201.15(1) ~~s. 201.15(1)(a)~~, not to exceed \$5.3 billion, must be
2813 deposited into this trust fund to be distributed and used as

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2814 provided in s. 259.105(3). The bond resolution adopted by the
2815 governing board of the Division of Bond Finance of the State
2816 Board of Administration may provide for additional provisions
2817 that govern the disbursement of the bond proceeds.

2818 (3) The Department of Environmental Protection shall ensure
2819 that the proceeds from the sale of bonds issued under s. 215.618
2820 and payable from moneys transferred to the Land Acquisition
2821 Trust Fund under s. 201.15(1) ~~s. 201.15(1)(a)~~ shall be
2822 administered and expended in a manner that ensures compliance of
2823 each issue of bonds that are issued on the basis that interest
2824 thereon will be excluded from gross income for federal income
2825 tax purposes, with the applicable provisions of the United
2826 States Internal Revenue Code and the regulations promulgated
2827 thereunder, to the extent necessary to preserve the exclusion of
2828 interest on the bonds from gross income for federal income tax
2829 purposes. The Department of Environmental Protection shall
2830 administer the use and disbursement of the proceeds of such
2831 bonds or require that the use and disbursement thereof be
2832 administered in a manner to implement strategies to maximize any
2833 available benefits under the applicable provisions of the United
2834 States Internal Revenue Code or regulations promulgated
2835 thereunder, to the extent not inconsistent with the purposes
2836 identified in s. 259.105(3).

2837 Section 29. Subsection (4) of section 339.0801, Florida
2838 Statutes, is amended to read:

2839 339.0801 Allocation of increased revenues derived from
2840 amendments to s. 319.32(5) (a) by ch. 2012-128.—Funds that result
2841 from increased revenues to the State Transportation Trust Fund
2842 derived from the amendments to s. 319.32(5) (a) made by this act

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2843 must be used annually, first as set forth in subsection (1) and
2844 then as set forth in subsections (2)-(5), notwithstanding any
2845 other provision of law:

2846 (4) Beginning in the 2013-2014 fiscal year and annually
2847 thereafter, \$10 million shall be allocated to the Small County
2848 Outreach Program, to be used as specified in s. 339.2818. These
2849 funds are in addition to the funds provided for the program
2850 pursuant to s. 201.15(4)(a)2 ~~in s. 201.15(1)(e)1.b.~~

2851 Section 30. Subsection (9) of section 339.55, Florida
2852 Statutes, is amended to read:

2853 339.55 State-funded infrastructure bank.—

2854 (9) Funds paid into the State Transportation Trust Fund
2855 pursuant to s. 201.15(4)(a) ~~s. 201.15(1)(e)~~ for the purposes of
2856 the State Infrastructure Bank are hereby annually appropriated
2857 for expenditure to support that program.

2858 Section 31. Subsection (5) of section 341.303, Florida
2859 Statutes, is amended to read:

2860 341.303 Funding authorization and appropriations;
2861 eligibility and participation.—

2862 (5) FUND PARTICIPATION; FLORIDA RAIL ENTERPRISE.—

2863 ~~(a) The department, through the Florida Rail Enterprise, is~~
2864 ~~authorized to use funds provided pursuant to s. 201.15(4)(a)4.~~
2865 ~~under s. 201.15(1)(e)1.d. to fund:~~

2866 (a) Up to 50 percent of the nonfederal share of the costs
2867 of any eligible passenger rail capital improvement project.

2868 ~~(b) The department, through the Florida Rail Enterprise, is~~
2869 ~~authorized to use funds provided under s. 201.15(1)(e)1.d. to~~
2870 ~~fund~~ Up to 100 percent of planning and development costs related
2871 to the provision of a passenger rail system, including, but not

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2872 limited to, preliminary engineering, revenue studies,
2873 environmental impact studies, financial advisory services,
2874 engineering design, and other appropriate professional services.

2875 ~~(c) The department, through the Florida Rail Enterprise, is~~
2876 ~~authorized to use funds provided under s. 201.15(1)(c)1.d. to~~
2877 ~~fund~~ The high-speed rail system.

2878 ~~(d) The department, through the Florida Rail Enterprise, is~~
2879 ~~authorized to use funds provided under s. 201.15(1)(c)1.d. to~~
2880 ~~fund~~ Projects necessary to identify or address anticipated
2881 impacts of increased freight rail traffic resulting from the
2882 implementation of passenger rail systems as provided in s.
2883 341.302(3)(b).

2884 Section 32. Paragraph (b) of subsection (4) of section
2885 343.58, Florida Statutes, is amended to read:

2886 343.58 County funding for the South Florida Regional
2887 Transportation Authority.—

2888 (4) Notwithstanding any other provision of law to the
2889 contrary and effective July 1, 2010, until as provided in
2890 paragraph (d), the department shall transfer annually from the
2891 State Transportation Trust Fund to the South Florida Regional
2892 Transportation Authority the amounts specified in subparagraph
2893 (a)1. or subparagraph (a)2.

2894 (b) Funding required by this subsection may not be provided
2895 from the funds dedicated to the Florida Rail Enterprise pursuant
2896 to s. 201.15(4)(a)4 ~~under s. 201.15(1)(c)1.d.~~

2897 Section 33. Section 369.252, Florida Statutes, is amended
2898 to read:

2899 369.252 Invasive plant control on public lands.—The Fish
2900 and Wildlife Conservation Commission shall establish a program

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2901 to:

2902 (1) Achieve eradication or maintenance control of invasive
2903 exotic plants on public lands when the scientific data indicate
2904 that they are detrimental to the state's natural environment or
2905 when the Commissioner of Agriculture finds that such plants or
2906 specific populations thereof are a threat to the agricultural
2907 productivity of the state;

2908 (2) Assist state and local government agencies in the
2909 development and implementation of coordinated management plans
2910 for the eradication or maintenance control of invasive exotic
2911 plant species on public lands;

2912 (3) Contract, or enter into agreements, with entities in
2913 the State University System or other governmental or private
2914 sector entities for research concerning control agents;
2915 production and growth of biological control agents; and
2916 development of workable methods for the eradication or
2917 maintenance control of invasive exotic plants on public lands;
2918 and

2919 (4) Use funds in the Invasive Plant Control Trust Fund as
2920 authorized by the Legislature for carrying out activities under
2921 this section on public lands. A minimum of 20 percent of the
2922 amount appropriated by the Legislature for invasive plant
2923 control from ~~credited to the Land Acquisition Invasive Plant~~
2924 Control Trust Fund pursuant to s. 201.15(6) shall be used for
2925 the purpose of controlling nonnative, upland, invasive plant
2926 species on public lands.

2927 Section 34. Paragraph (c) of subsection (8) of section
2928 373.026, Florida Statutes, is amended to read:

2929 373.026 General powers and duties of the department.—The

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2930 department, or its successor agency, shall be responsible for
2931 the administration of this chapter at the state level. However,
2932 it is the policy of the state that, to the greatest extent
2933 possible, the department may enter into interagency or
2934 interlocal agreements with any other state agency, any water
2935 management district, or any local government conducting programs
2936 related to or materially affecting the water resources of the
2937 state. All such agreements shall be subject to the provisions of
2938 s. 373.046. In addition to its other powers and duties, the
2939 department shall, to the greatest extent possible:

2940 (8)

2941 (c) Notwithstanding paragraph (b), the use of state funds
2942 for land purchases from willing sellers is authorized for
2943 projects ~~within the South Florida Water Management District's~~
2944 ~~approved 5-year plan of acquisition pursuant to s. 373.59 or~~
2945 within the South Florida Water Management District's approved
2946 Florida Forever water management district work plan pursuant to
2947 s. 373.199.

2948 Section 35. Subsection (4) of section 373.089, Florida
2949 Statutes, is amended to read:

2950 373.089 Sale or exchange of lands, or interests or rights
2951 in lands.—The governing board of the district may sell lands, or
2952 interests or rights in lands, to which the district has acquired
2953 title or to which it may hereafter acquire title in the
2954 following manner:

2955 (4) The governing board of a district may exchange lands,
2956 or interests or rights in lands, owned by, or lands, or
2957 interests or rights in lands, for which title is otherwise
2958 vested in, the district for other lands, or interests or rights

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2959 in lands, within the state owned by any person. The governing
2960 board shall fix the terms and conditions of any such exchange
2961 and may pay or receive any sum of money that the board considers
2962 necessary to equalize the values of exchanged properties. Land,
2963 or interests or rights in land, acquired under former s. 373.59,
2964 Florida Statutes 2014, may be exchanged only for lands, or
2965 interests or rights in lands, that otherwise meet the
2966 requirements of that section for acquisition.

2967 Section 36. Paragraph (a) of subsection (5) of section
2968 373.129, Florida Statutes, is amended to read:

2969 373.129 Maintenance of actions.—The department, the
2970 governing board of any water management district, any local
2971 board, or a local government to which authority has been
2972 delegated pursuant to s. 373.103(8), is authorized to commence
2973 and maintain proper and necessary actions and proceedings in any
2974 court of competent jurisdiction for any of the following
2975 purposes:

2976 (5) To recover a civil penalty for each offense in an
2977 amount not to exceed \$10,000 per offense. Each date during which
2978 such violation occurs constitutes a separate offense.

2979 (a) A civil penalty recovered by a water management
2980 district pursuant to this subsection shall be retained ~~deposited~~
2981 ~~in the Water Management Lands Trust Fund established under s.~~
2982 ~~373.59~~ and used exclusively by the water management district
2983 that collected ~~deposits~~ the money ~~into the fund~~. A civil penalty
2984 recovered by the department pursuant to this subsection must be
2985 deposited into the Water Quality Assurance Trust Fund
2986 established under s. 376.307 ~~Any such civil penalty recovered~~
2987 ~~after the expiration of such fund shall be deposited in the~~

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2988 ~~Ecosystem Management and Restoration Trust Fund and used~~
2989 ~~exclusively within the water management district that deposits~~
2990 ~~the money into the fund.~~

2991 Section 37. Subsection (5) of section 373.1391, Florida
2992 Statutes, is amended to read:

2993 373.1391 Management of real property.—

2994 (5) The following additional uses of lands acquired
2995 pursuant to the Florida Forever program and other state-funded
2996 land purchase programs shall be authorized, upon a finding by
2997 the governing board, if they meet the criteria specified in
2998 paragraphs (a)-(e): water resource development projects, water
2999 supply development projects, stormwater management projects,
3000 linear facilities, and sustainable agriculture and forestry.
3001 Such additional uses are authorized where:

3002 (a) Not inconsistent with the management plan for such
3003 lands;

3004 (b) Compatible with the natural ecosystem and resource
3005 values of such lands;

3006 (c) The proposed use is appropriately located on such lands
3007 and where due consideration is given to the use of other
3008 available lands;

3009 (d) The using entity reasonably compensates the titleholder
3010 for such use based upon an appropriate measure of value; and

3011 (e) The use is consistent with the public interest.

3012

3013 A decision by the governing board pursuant to this subsection
3014 shall be given a presumption of correctness. Moneys received
3015 from the use of state lands pursuant to this subsection shall be
3016 returned to the lead managing agency ~~in accordance with the~~

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3017 ~~provisions of s. 373.59.~~

3018 Section 38. Subsection (7) of section 373.199, Florida
3019 Statutes, is amended to read:

3020 373.199 Florida Forever Water Management District Work
3021 Plan.—

3022 (7) By June 1, 2001, each district shall file with the
3023 President of the Senate, the Speaker of the House of
3024 Representatives, and the Secretary of Environmental Protection
3025 the initial 5-year work plan as required under subsection (2).
3026 By March 1 of each year thereafter, as part of the consolidated
3027 annual report required by s. 373.036(7), each district shall
3028 report on acquisitions completed during the year together with
3029 modifications or additions to its 5-year work plan. Included in
3030 the report shall be:

3031 (a) A description of land management activity for each
3032 property or project area owned by the water management district.

3033 (b) A list of any lands surplused and the amount of
3034 compensation received.

3035 (c) The progress of funding, staffing, and resource
3036 management of every project funded pursuant to former s.
3037 259.101(3), Florida Statutes 2014 ~~s. 259.101~~, s. 259.105, or
3038 former s. 373.59(2), Florida Statutes 2014, ~~s. 373.59~~ for which
3039 the district is responsible.

3040
3041 The secretary shall submit the report referenced in this
3042 subsection to the Board of Trustees of the Internal Improvement
3043 Trust Fund together with the Acquisition and Restoration
3044 Council's project list as required under s. 259.105.

3045 Section 39. Subsection (7) of section 373.430, Florida

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3046 Statutes, is amended to read:

3047 373.430 Prohibitions, violation, penalty, intent.—

3048 (7) All moneys recovered under the provisions of this
3049 section shall be allocated to the use of the water management
3050 district, the department, or the local government, whichever
3051 undertook and maintained the enforcement action. All monetary
3052 penalties and damages recovered by the department or the state
3053 under the provisions of this section shall be deposited into ~~in~~
3054 the Water Quality Assurance Ecosystem Management and Restoration
3055 Trust Fund. All monetary penalties and damages recovered
3056 pursuant to this section by a water management district shall be
3057 retained ~~deposited in the Water Management Lands Trust Fund~~
3058 ~~established under s. 373.59~~ and used exclusively within the
3059 territory of the water management district which collected
3060 ~~deposits~~ the money ~~into the fund~~. Any such monetary penalties
3061 and damages recovered after the expiration of such fund shall be
3062 ~~deposited in the Ecosystem Management and Restoration Trust Fund~~
3063 ~~and used exclusively within the territory of the water~~
3064 ~~management district which deposits the money into the fund~~. All
3065 monetary penalties and damages recovered pursuant to this
3066 subsection by a local government to which authority has been
3067 delegated pursuant to s. 373.103(8) shall be used to enhance
3068 surface water improvement or pollution control activities.

3069 Section 40. Subsections (3) through (6) of section 373.459,
3070 Florida Statutes, are amended to read:

3071 373.459 Funds for surface water improvement and
3072 management.—

3073 (3) ~~The Ecosystem Management and Restoration Trust Fund~~
3074 ~~shall be used for the deposit of funds appropriated by the~~

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3075 ~~Legislature for the purposes of ss. 373.451-373.4595.~~ The
3076 department shall administer all funds appropriated to or
3077 received for surface water improvement and management
3078 activities. Expenditure of the moneys shall be limited to the
3079 costs of detailed planning and plan and program implementation
3080 for priority surface water bodies. Moneys may ~~from the fund~~
3081 ~~shall~~ not be expended for planning for, or construction or
3082 expansion of, treatment facilities for domestic or industrial
3083 waste disposal.

3084 (4) The department shall authorize the release of money
3085 ~~from the fund~~ in accordance with ~~the provisions of~~ s. 373.501(2)
3086 ~~and procedures in s. 373.59(4) and (5).~~

3087 ~~(5) Moneys in the fund which are not needed to meet current~~
3088 ~~obligations incurred under this section shall be transferred to~~
3089 ~~the State Board of Administration, to the credit of the trust~~
3090 ~~fund, to be invested in the manner provided by law. Interest~~
3091 ~~received on such investments shall be credited to the trust~~
3092 ~~fund.~~

3093 (5)~~(6)~~ The match requirement of subsection (2) does ~~shall~~
3094 not apply to the Suwannee River Water Management District, the
3095 Northwest Florida Water Management District, or a financially
3096 disadvantaged small local government as defined in former s.
3097 403.885(3).

3098 Section 41. Paragraph (a) of subsection (3) of section
3099 373.4592, Florida Statutes, is amended to read:

3100 373.4592 Everglades improvement and management.—

3101 (3) EVERGLADES LONG-TERM PLAN.—

3102 (a) The Legislature finds that the Everglades Program
3103 required by this section establishes more extensive and

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3104 comprehensive requirements for surface water improvement and
3105 management within the Everglades than the SWIM plan requirements
3106 provided in ss. 373.451 and 373.453. In order to avoid
3107 duplicative requirements, and in order to conserve the resources
3108 available to the district, the SWIM plan requirements of those
3109 sections shall not apply to the Everglades Protection Area and
3110 the EAA during the term of the Everglades Program, and the
3111 district will neither propose, nor take final agency action on,
3112 any Everglades SWIM plan for those areas until the Everglades
3113 Program is fully implemented. Funds identified under former s.
3114 259.101(3)(b), Florida Statutes 2014, may be used for
3115 acquisition of lands necessary to implement the Everglades
3116 Construction Project, to the extent these funds are identified
3117 in the Statement of Principles of July 1993. The district's
3118 actions in implementing the Everglades Construction Project
3119 relating to the responsibilities of the EAA and C-139 Basin for
3120 funding and water quality compliance in the EAA and the
3121 Everglades Protection Area shall be governed by this section.
3122 Other strategies or activities in the March 1992 Everglades SWIM
3123 plan may be implemented if otherwise authorized by law.

3124 Section 42. Subsection (4) of section 373.45926, Florida
3125 Statutes, is amended to read:

3126 373.45926 Everglades Trust Fund; allocation of revenues and
3127 expenditure of funds for conservation and protection of natural
3128 resources and abatement of water pollution.—

3129 (4) The following funds shall be deposited into the
3130 Everglades Trust Fund specifically for the implementation of the
3131 Everglades Forever Act.

3132 (a) Alligator Alley toll revenues pursuant to s. 338.26(3).

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3133 (b) Everglades agricultural privilege tax revenues pursuant
3134 to s. 373.4592(6).

3135 (c) C-139 agricultural privilege tax revenues pursuant to
3136 s. 373.4592(7).

3137 (d) Special assessment revenues pursuant to s. 373.4592(8).

3138 (e) Ad valorem revenues pursuant to s. 373.4592(4)(a).

3139 (f) Federal funds appropriated by the United States
3140 Congress for any component of the Everglades Construction
3141 Project.

3142 ~~(g) Preservation 2000 funds for acquisition of lands~~
3143 ~~necessary for implementation of the Everglades Forever Act as~~
3144 ~~prescribed in an annual appropriation.~~

3145 (g) ~~(h)~~ Any additional funds specifically appropriated by
3146 the Legislature for this purpose.

3147 (h) ~~(i)~~ Gifts designated for implementation of the
3148 Everglades Forever Act from individuals, corporations, and other
3149 entities.

3150 (i) ~~(j)~~ Any additional funds that become available for this
3151 purpose from any other source.

3152 Section 43. Paragraph (e) of subsection (4), paragraph (a)
3153 of subsection (6), and paragraph (b) of subsection (7) of
3154 section 373.470, Florida Statutes, are amended to read:

3155 373.470 Everglades restoration.—

3156 (4) SAVE OUR EVERGLADES TRUST FUND; FUNDS AUTHORIZED FOR
3157 DEPOSIT.—The following funds may be deposited into the Save Our
3158 Everglades Trust Fund created by s. 373.472 to finance
3159 implementation of the comprehensive plan, the Lake Okeechobee
3160 Watershed Protection Plan, the River Watershed Protection Plans,
3161 and the Keys Wastewater Plan:

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3162 ~~(e) Funds made available pursuant to s. 201.15 for debt~~
3163 ~~service for Everglades restoration bonds.~~

3164 (6) DISTRIBUTIONS FROM SAVE OUR EVERGLADES TRUST FUND.—

3165 (a) Except as provided in paragraphs (d) and (e) and for
3166 funds appropriated for debt service, the department shall
3167 distribute funds in the Save Our Everglades Trust Fund to the
3168 district in accordance with a legislative appropriation and s.
3169 373.026(8) (b) ~~and (e)~~. Distribution of funds to the district
3170 from the Save Our Everglades Trust Fund shall be equally matched
3171 by the cumulative contributions from the district by fiscal year
3172 2019-2020 by providing funding or credits toward project
3173 components. The dollar value of in-kind project design and
3174 construction work by the district in furtherance of the
3175 comprehensive plan and existing interest in public lands needed
3176 for a project component are credits towards the district's
3177 contributions.

3178 (7) ANNUAL REPORT.—To provide enhanced oversight of and
3179 accountability for the financial commitments established under
3180 this section and the progress made in the implementation of the
3181 comprehensive plan, the following information must be prepared
3182 annually as part of the consolidated annual report required by
3183 s. 373.036(7):

3184 (b) The department shall prepare a detailed report on all
3185 funds expended by the state and credited toward the state's
3186 share of funding for implementation of the comprehensive plan.
3187 The report shall include:

3188 1. A description of all expenditures, by source and amount,
3189 from the former Conservation and Recreation Lands Trust Fund,
3190 the Land Acquisition Trust Fund, the former Preservation 2000

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3191 Trust Fund, the Florida Forever Trust Fund, the Save Our
3192 Everglades Trust Fund, and other named funds or accounts for the
3193 acquisition or construction of project components or other
3194 features or facilities that benefit the comprehensive plan.

3195 2. A description of the purposes for which the funds were
3196 expended.

3197 3. The unencumbered fiscal-year-end balance that remains in
3198 each trust fund or account identified in subparagraph 1.

3199

3200 The information required in paragraphs (a), (b), and (c) shall
3201 be provided as part of the consolidated annual report required
3202 by s. 373.036(7). The initial report is due by November 30,
3203 2000, and each annual report thereafter is due by March 1.

3204 Section 44. Subsection (1) of section 373.472, Florida
3205 Statutes, is amended to read:

3206 373.472 Save Our Everglades Trust Fund.—

3207 (1) There is created within the Department of Environmental
3208 Protection the Save Our Everglades Trust Fund. Funds in the
3209 trust fund shall be expended to implement the comprehensive plan
3210 as defined in s. 373.470(2); the Lake Okeechobee Watershed
3211 Protection Plan as defined in s. 373.4595(2); the Caloosahatchee
3212 River Watershed Protection Plan as defined in s. 373.4595(2);
3213 the St. Lucie River Watershed Protection Plan as defined in s.
3214 373.4595(2); the Long-Term Plan as defined in s. 373.4592(2);
3215 and the Florida Keys Area of Critical State Concern protection
3216 program under ss. 380.05 and 380.0552 to restore and conserve
3217 natural systems through the implementation of water management
3218 projects, including wastewater management projects identified in
3219 the "Keys Wastewater Plan" dated November 2007 and submitted to

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3220 the Florida House of Representatives on December 4, 2007, ~~and to~~
3221 ~~pay debt service for Everglades restoration bonds issued~~
3222 ~~pursuant to s. 215.619.~~ The trust fund shall serve as the
3223 repository for state, local, and federal project contributions
3224 in accordance with s. 373.470(4).

3225 Section 45. Subsection (2) of section 373.584, Florida
3226 Statutes, is amended to read:

3227 373.584 Revenue bonds.—

3228 (2) Revenues derived by the district ~~from the Water~~
3229 ~~Management Lands Trust Fund as provided in s. 373.59 or any~~
3230 ~~other revenues of the district~~ may be pledged to the payment of
3231 ~~such~~ revenue bonds; however, the ad valorem taxing powers of the
3232 district may not be pledged to the payment of such revenue bonds
3233 without prior compliance with the requirements of the State
3234 Constitution as to the affirmative vote of the electors of the
3235 district and with the requirements of s. 373.563, ~~and bonds~~
3236 ~~payable from the Water Management Lands Trust Fund shall be~~
3237 ~~issued solely for the purposes set forth in s. 373.59.~~ Revenue
3238 bonds and notes shall be, and shall be deemed to be, for all
3239 purposes, negotiable instruments, subject only to the provisions
3240 of the revenue bonds and notes for registration. The powers and
3241 authority of districts to issue revenue bonds, including, but
3242 not limited to, bonds to finance a stormwater management system
3243 as defined by s. 373.403, and to enter into contracts incidental
3244 thereto, and to do all things necessary and desirable in
3245 connection with the issuance of revenue bonds, shall be
3246 coextensive with the powers and authority of municipalities to
3247 issue bonds under state law. The provisions of this section
3248 constitute full and complete authority for the issuance of

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3249 revenue bonds and shall be liberally construed to effectuate its
3250 purpose.

3251 Section 46. Section 373.59, Florida Statutes, is amended to
3252 read:

3253 373.59 Payment in lieu of taxes for lands acquired for
3254 water management district purposes ~~Water Management Lands Trust~~
3255 ~~Fund.~~—

3256 (1) ~~There is established within the Department of~~
3257 ~~Environmental Protection the Water Management Lands Trust Fund~~
3258 ~~to be used as a nonlapsing fund for the purposes of this~~
3259 ~~section. The moneys in this fund are hereby continually~~
3260 ~~appropriated for the purposes of land acquisition, management,~~
3261 ~~maintenance, capital improvements of land titled to the~~
3262 ~~districts, payments in lieu of taxes, debt service on bonds~~
3263 ~~issued prior to July 1, 1999, debt service on bonds issued on or~~
3264 ~~after July 1, 1999, which are issued to refund bonds issued~~
3265 ~~before July 1, 1999, preacquisition costs associated with land~~
3266 ~~purchases, and the department's costs of administration of the~~
3267 ~~fund. No refunding bonds may be issued which mature after the~~
3268 ~~final maturity date of the bonds being refunded or which provide~~
3269 ~~for higher debt service in any year than is payable on such~~
3270 ~~bonds as of February 1, 2009. The department's costs of~~
3271 ~~administration shall be charged proportionally against each~~
3272 ~~district's allocation using the formula provided in subsection~~
3273 ~~(8). Capital improvements shall include, but need not be limited~~
3274 ~~to, perimeter fencing, signs, firelanes, control of invasive~~
3275 ~~exotic species, controlled burning, habitat inventory and~~
3276 ~~restoration, law enforcement, access roads and trails, and~~
3277 ~~minimal public accommodations, such as primitive campsites,~~

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3278 ~~garbage receptacles, and toilets. The moneys in the fund may~~
3279 ~~also be appropriated to supplement operational expenditures at~~
3280 ~~the Northwest Florida Water Management District and the Suwannee~~
3281 ~~River Water Management District, with such appropriations~~
3282 ~~allocated prior to the allocations set out in subsection (8) to~~
3283 ~~the five water management districts.~~

3284 ~~(2) Until the Preservation 2000 Program is concluded, each~~
3285 ~~district shall file with the Legislature and the Secretary of~~
3286 ~~Environmental Protection a report of acquisition activity, by~~
3287 ~~January 15 of each year, together with modifications or~~
3288 ~~additions to its 5-year plan of acquisition. Included in the~~
3289 ~~report shall be an identification of those lands which require a~~
3290 ~~full fee simple interest to achieve water management goals and~~
3291 ~~those lands which can be acquired using alternatives to fee~~
3292 ~~simple acquisition techniques and still achieve such goals. In~~
3293 ~~their evaluation of which lands would be appropriate for~~
3294 ~~acquisition through alternatives to fee simple, district staff~~
3295 ~~shall consider criteria including, but not limited to,~~
3296 ~~acquisition costs, the net present value of future land~~
3297 ~~management costs, the net present value of ad valorem revenue~~
3298 ~~loss to the local government, and the potential for revenue~~
3299 ~~generated from activities compatible with acquisition~~
3300 ~~objectives. The report shall also include a description of land~~
3301 ~~management activity. However, no acquisition of lands shall~~
3302 ~~occur without a public hearing similar to those held pursuant to~~
3303 ~~the provisions set forth in s. 120.54. In the annual update of~~
3304 ~~its 5-year plan for acquisition, each district shall identify~~
3305 ~~lands needed to protect or recharge groundwater and shall~~
3306 ~~establish a plan for their acquisition as necessary to protect~~

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3307 ~~potable water supplies. Lands which serve to protect or recharge~~
3308 ~~groundwater identified pursuant to this paragraph shall also~~
3309 ~~serve to protect other valuable natural resources or provide~~
3310 ~~space for natural resource based recreation. Once all~~
3311 ~~Preservation 2000 funds allocated to the water management~~
3312 ~~districts have been expended or committed, this subsection shall~~
3313 ~~be repealed.~~

3314 ~~(3) Each district shall remove the property of an unwilling~~
3315 ~~seller from its plan of acquisition at the next scheduled update~~
3316 ~~of the plan, if in receipt of a request to do so by the property~~
3317 ~~owner. This subsection shall be repealed at the conclusion of~~
3318 ~~the Preservation 2000 program.~~

3319 ~~(4) The Secretary of Environmental Protection shall release~~
3320 ~~moneys from the Water Management Lands Trust Fund to a district~~
3321 ~~for preacquisition costs within 30 days after receipt of a~~
3322 ~~resolution adopted by the district's governing board which~~
3323 ~~identifies and justifies any such preacquisition costs necessary~~
3324 ~~for the purchase of any lands listed in the district's 5-year~~
3325 ~~plan. The district shall return to the department any funds not~~
3326 ~~used for the purposes stated in the resolution, and the~~
3327 ~~department shall deposit the unused funds into the Water~~
3328 ~~Management Lands Trust Fund.~~

3329 ~~(5) The Secretary of Environmental Protection shall release~~
3330 ~~to the districts moneys for management, maintenance, and capital~~
3331 ~~improvements following receipt of a resolution and request~~
3332 ~~adopted by the governing board which specifies the designated~~
3333 ~~managing agency, specific management activities, public use,~~
3334 ~~estimated annual operating costs, and other acceptable~~
3335 ~~documentation to justify release of moneys.~~

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3336 ~~(6) If a district issues revenue bonds or notes under s.~~
3337 ~~373.584 prior to July 1, 1999, the district may pledge its share~~
3338 ~~of the moneys in the Water Management Lands Trust Fund as~~
3339 ~~security for such bonds or notes. The Department of~~
3340 ~~Environmental Protection shall pay moneys from the trust fund to~~
3341 ~~a district or its designee sufficient to pay the debt service,~~
3342 ~~as it becomes due, on the outstanding bonds and notes of the~~
3343 ~~district; however, such payments shall not exceed the district's~~
3344 ~~cumulative portion of the trust fund. However, any moneys~~
3345 ~~remaining after payment of the amount due on the debt service~~
3346 ~~shall be released to the district pursuant to subsection (5).~~

3347 ~~(7) Any unused portion of a district's share of the fund~~
3348 ~~shall accumulate in the trust fund to the credit of that~~
3349 ~~district. Interest earned on such portion shall also accumulate~~
3350 ~~to the credit of that district to be used for management,~~
3351 ~~maintenance, and capital improvements as provided in this~~
3352 ~~section. The total moneys over the life of the fund available to~~
3353 ~~any district under this section shall not be reduced except by~~
3354 ~~resolution of the district governing board stating that the need~~
3355 ~~for the moneys no longer exists. Any water management district~~
3356 ~~with fund balances in the Water Management Lands Trust Fund as~~
3357 ~~of March 1, 1999, may expend those funds for land acquisitions~~
3358 ~~pursuant to s. 373.139, or for the purpose specified in this~~
3359 ~~subsection.~~

3360 ~~(8) Moneys from the Water Management Lands Trust Fund shall~~
3361 ~~be allocated as follows:~~

3362 ~~(a) Beginning with the 2009-2010 fiscal year, thirty~~
3363 ~~percent shall be used first to pay debt service on bonds issued~~
3364 ~~before February 1, 2009, by the South Florida Water Management~~

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3365 ~~District which are secured by revenues provided by this section~~
3366 ~~or to fund debt service reserve funds, rebate obligations, or~~
3367 ~~other amounts payable with respect to such bonds, then to~~
3368 ~~transfer \$3,000,000 to the credit of the General Revenue Fund in~~
3369 ~~each fiscal year, and lastly to distribute the remainder to the~~
3370 ~~South Florida Water Management District.~~

3371 ~~(b) Beginning with the 2009-2010 fiscal year, twenty-five~~
3372 ~~percent shall be used first to transfer \$2,500,000 to the credit~~
3373 ~~of the General Revenue Fund in each fiscal year and then to~~
3374 ~~distribute the remainder to the Southwest Florida Water~~
3375 ~~Management District.~~

3376 ~~(c) Beginning with the 2009-2010 fiscal year, twenty-five~~
3377 ~~percent shall be used first to pay debt service on bonds issued~~
3378 ~~before February 1, 2009, by the St. Johns River Water Management~~
3379 ~~District which are secured by revenues provided by this section~~
3380 ~~or to fund debt service reserve funds, rebate obligations, or~~
3381 ~~other amounts payable with respect to such bonds, then to~~
3382 ~~transfer \$2,500,000 to the credit of the General Revenue Fund in~~
3383 ~~each fiscal year, and to distribute the remainder to the St.~~
3384 ~~Johns River Water Management District.~~

3385 ~~(d) Ten percent to the Suwannee River Water Management~~
3386 ~~District.~~

3387 ~~(e) Ten percent to the Northwest Florida Water Management~~
3388 ~~District.~~

3389 ~~(9) Moneys in the fund not needed to meet current~~
3390 ~~obligations incurred under this section shall be transferred to~~
3391 ~~the State Board of Administration, to the credit of the fund, to~~
3392 ~~be invested in the manner provided by law. Interest received on~~
3393 ~~such investments shall be credited to the fund.~~

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3394 ~~(10)(a)~~ Beginning July 1, 1999, ~~not more than one fourth of~~
3395 ~~the funds provided for in subsections (1) and (8) in any year~~
3396 shall be reserved annually by a governing board, during the
3397 development of its annual operating budget, for payments in lieu
3398 of taxes for all actual ad valorem tax losses incurred as a
3399 result of all governing board acquisitions for water management
3400 district purposes. ~~Reserved funds not used for payments in lieu~~
3401 ~~of taxes in any year shall revert to the Water Management Lands~~
3402 ~~Trust Fund to be used in accordance with the provisions of this~~
3403 ~~section.~~

3404 (2)(b) Payment in lieu of taxes shall be available:

3405 (a)1. To all counties that have a population of 150,000 or
3406 fewer. Population levels shall be determined pursuant to s.
3407 186.901. The population estimates published April 1 and used in
3408 the revenue-sharing formula pursuant to s. 186.901 shall be used
3409 to determine eligibility under this subsection and shall apply
3410 to payments made for the subsequent fiscal year.

3411 (b)2. To all local governments located in eligible counties
3412 and whose lands are bought and taken off the tax rolls.

3413
3414 For properties acquired after January 1, 2000, in the event that
3415 such properties otherwise eligible for payment in lieu of taxes
3416 under this subsection are leased or reserved and remain subject
3417 to ad valorem taxes, payments in lieu of taxes shall commence or
3418 recommence upon the expiration or termination of the lease or
3419 reservation. If the lease is terminated for only a portion of
3420 the lands at any time, the annual payments shall be made for
3421 that portion only commencing the year after such termination,
3422 without limiting the requirement that annual payments shall be

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3423 made on the remaining portion or portions of the land as the
3424 lease on each expires. For the purposes of this subsection,
3425 "local government" includes municipalities and the county school
3426 board.

3427 (3)~~(e)~~ If sufficient funds are unavailable in any year to
3428 make full payments to all qualifying counties and local
3429 governments, such counties and local governments shall receive a
3430 pro rata share of the moneys available.

3431 (4)~~(d)~~ The payment amount shall be based on the average
3432 amount of actual ad valorem taxes paid on the property for the 3
3433 years preceding acquisition. Applications for payment in lieu of
3434 taxes shall be made no later than May 31 of the year for which
3435 payment is sought. No payment in lieu of taxes shall be made for
3436 properties which were exempt from ad valorem taxation for the
3437 year immediately preceding acquisition.

3438 (5)~~(e)~~ If property that was subject to ad valorem taxation
3439 was acquired by a tax-exempt entity for ultimate conveyance to
3440 the state under this chapter, payment in lieu of taxes shall be
3441 made for such property based upon the average amount of ad
3442 valorem taxes paid on the property for the 3 years prior to its
3443 being removed from the tax rolls. The water management districts
3444 shall certify to the Department of Revenue those properties that
3445 may be eligible under this provision. Once eligibility has been
3446 established, that governmental entity shall receive annual
3447 payments for each tax loss until the qualifying governmental
3448 entity exceeds the population threshold pursuant to subsection
3449 (2) ~~paragraph (b)~~.

3450 (6)~~(f)~~ Payment in lieu of taxes pursuant to this section
3451 ~~subsection~~ shall be made annually to qualifying counties and

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3452 local governments after certification by the Department of
3453 Revenue that the amounts applied for are reasonably appropriate,
3454 based on the amount of actual ad valorem taxes paid on the
3455 eligible property, and after the water management districts have
3456 provided supporting documents to the Chief Financial Officer and
3457 have requested that payment be made in accordance with the
3458 requirements of this section. With the assistance of the local
3459 government requesting payment in lieu of taxes, the water
3460 management district that acquired the land is responsible for
3461 preparing and submitting application requests for payment to the
3462 Department of Revenue for certification.

3463 (7) ~~(g)~~ If a water management district conveys to a county
3464 or local government title to any land owned by the district, any
3465 payments in lieu of taxes on the land made to the county or
3466 local government shall be discontinued as of the date of the
3467 conveyance.

3468 ~~(11) Notwithstanding any provision of this section to the~~
3469 ~~contrary, the governing board of a water management district may~~
3470 ~~request, and the Secretary of Environmental Protection shall~~
3471 ~~release upon such request, moneys allocated to the districts~~
3472 ~~pursuant to subsection (8) for purposes consistent with the~~
3473 ~~provisions of s. 373.709, s. 373.705, s. 373.139, or ss.~~
3474 ~~373.451-373.4595 and for legislatively authorized land~~
3475 ~~acquisition and water restoration initiatives. No funds may be~~
3476 ~~used pursuant to this subsection until necessary debt service~~
3477 ~~obligations, requirements for payments in lieu of taxes, and~~
3478 ~~land management obligations that may be required by this chapter~~
3479 ~~are provided for.~~

3480 ~~(12) Notwithstanding subsection (8), and for the 2014-2015~~

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3481 ~~fiscal year only, the moneys from the Water Management Lands~~
3482 ~~Trust Fund are allocated as follows:~~

3483 ~~(a) An amount necessary to pay debt service on bonds issued~~
3484 ~~before February 1, 2009, by the South Florida Water Management~~
3485 ~~District and the St. Johns River Water Management District,~~
3486 ~~which are secured by revenues provided pursuant to this section,~~
3487 ~~or to fund debt service reserve funds, rebate obligations, or~~
3488 ~~other amounts payable with respect to such bonds.~~

3489 ~~(b) Eight million dollars to be transferred to the General~~
3490 ~~Revenue Fund.~~

3491 ~~(c) Seven million seven hundred thousand dollars to be~~
3492 ~~transferred to the Save Our Everglades Trust Fund to support~~
3493 ~~Everglades restoration projects included in the final report of~~
3494 ~~the Select Committee on Indian River Lagoon and Lake Okeechobee~~
3495 ~~Basin, dated November 8, 2013.~~

3496 ~~(d) Any remaining funds to be provided in accordance with~~
3497 ~~the General Appropriations Act.~~

3498
3499 ~~This subsection expires July 1, 2015.~~

3500 Section 47. Section 373.5905, Florida Statutes, is amended
3501 to read:

3502 373.5905 Reinstatement of payments in lieu of taxes;
3503 duration.—If a water management district has made a payment in
3504 lieu of taxes to a governmental entity and subsequently
3505 suspended such payment, beginning July 1, 2009, the water
3506 management district shall reinstate appropriate payments and
3507 continue the payments for as long as the county population
3508 remains below the population threshold pursuant to s.

3509 373.59(2)(a) ~~s. 373.59(10)(b)~~. This section does not authorize

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3510 or provide for payments in arrears.

3511 Section 48. Subsection (8) of section 373.703, Florida
3512 Statutes, is amended to read:

3513 373.703 Water production; general powers and duties.—In the
3514 performance of, and in conjunction with, its other powers and
3515 duties, the governing board of a water management district
3516 existing pursuant to this chapter:

3517 (8) In addition to the power to issue revenue bonds
3518 pursuant to s. 373.584, may issue revenue bonds for the purposes
3519 of paying the costs and expenses incurred in carrying out the
3520 purposes of this chapter or refunding obligations of the
3521 district issued pursuant to this section. Such revenue bonds
3522 shall be secured by, and be payable from, revenues derived from
3523 the operation, lease, or use of its water production and
3524 transmission facilities and other water-related facilities and
3525 from the sale of water or services relating thereto. Such
3526 revenue bonds may not be secured by, or be payable from, ~~moneys~~
3527 ~~derived by the district from the Water Management Lands Trust~~
3528 ~~Fund or from~~ ad valorem taxes received by the district or from
3529 moneys appropriated by the Legislature, unless otherwise
3530 specifically authorized by law. All provisions of s. 373.584
3531 relating to the issuance of revenue bonds which are not
3532 inconsistent with this section shall apply to the issuance of
3533 revenue bonds pursuant to this section. The district may also
3534 issue bond anticipation notes in accordance with the provisions
3535 of s. 373.584.

3536 Section 49. Subsection (8) of section 375.031, Florida
3537 Statutes, is amended to read:

3538 375.031 Acquisition of land; procedures.—

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3539 (8) The department may, if it deems it desirable and in the
3540 best interest of the program, request the board of trustees to
3541 sell or otherwise dispose of any lands or water storage areas
3542 acquired under this act. The board of trustees, when so
3543 requested, shall offer the lands or water storage areas, on such
3544 terms as the department may determine, first to other state
3545 agencies and then, if still available, to the county or
3546 municipality in which the lands or water storage areas lie. If
3547 not acquired by another state agency or local governmental body
3548 for beneficial public purposes, the lands or water storage areas
3549 shall then be offered by the board of trustees at public sale,
3550 after first giving notice of such sale by publication in a
3551 newspaper published in the county or counties in which such
3552 lands or water storage areas lie not less than once a week for 3
3553 consecutive weeks. All proceeds from the sale or disposition of
3554 any lands or water storage areas pursuant to this section shall
3555 be deposited into the appropriate trust fund pursuant to s.
3556 253.034(6)(k), (l), or (m) in the Land Acquisition Trust Fund.

3557 Section 50. Section 375.041, Florida Statutes, is amended
3558 to read:

3559 375.041 Land Acquisition Trust Fund.—

3560 (1) There is created a Land Acquisition Trust Fund within
3561 the Department of Environmental Protection. The Land Acquisition
3562 Trust Fund is designated by s. 28, Art. X of the State
3563 Constitution for receipt of certain documentary stamp tax
3564 revenue for the uses prescribed therein ~~to facilitate and~~
3565 ~~expedite the acquisition of land, water areas, and related~~
3566 ~~resources required to accomplish the purposes of this act.~~ The
3567 Land Acquisition Trust Fund shall be held and administered by

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3568 the department. The Land Acquisition Trust Fund shall continue
3569 for as long as bonds are outstanding pursuant to s. 215.618 or
3570 s. 215.619, or any bonds secured on a parity basis with such
3571 bonds, or until the requirement of s. 28, Art. X of the State
3572 Constitution expires, whichever is later ~~All moneys and revenue~~
3573 ~~from the operation, management, sale, lease, or other~~
3574 ~~disposition of land, water areas, related resources, and the~~
3575 ~~facilities thereon acquired or constructed under this act shall~~
3576 ~~be deposited in or credited to the Land Acquisition Trust Fund.~~
3577 ~~Moneys accruing to any agency for the purposes enumerated in~~
3578 ~~this act may be deposited in this fund. There shall also be~~
3579 ~~deposited into the Land Acquisition Trust Fund other moneys as~~
3580 ~~authorized by appropriate act of the Legislature. All moneys so~~
3581 ~~deposited into the Land Acquisition Trust Fund shall be trust~~
3582 ~~funds for the uses and purposes herein set forth, within the~~
3583 ~~meaning of s. 215.32(1)(b); and such moneys shall not become or~~
3584 ~~be commingled with the General Revenue Fund of the state, as~~
3585 ~~defined by s. 215.32(1)(a).~~

3586 (2) All moneys and revenue from the sale or other
3587 disposition of land, water areas, or related resources acquired
3588 on or after July 1, 2015, for the purposes of s. 28, Art. X of
3589 the State Constitution shall be deposited into or credited to
3590 the Land Acquisition Trust Fund, except as otherwise provided
3591 pursuant to s. 253.034(6)(1).

3592 (3) Funds distributed into ~~The moneys on deposit in the~~
3593 ~~Land Acquisition Trust Fund pursuant to s. 201.15 shall be first~~
3594 ~~applied to:~~

3595 (a) First, to pay debt service or to fund debt service
3596 reserve funds, rebate obligations, or other amounts payable with

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3597 respect to Florida Forever bonds issued under s. 215.618; and
3598 pay debt service, provide reserves, and pay rebate obligations
3599 and other amounts due with respect to Everglades restoration
3600 bonds issued under s. 215.619;

3601 (b) Then, to pay the debt service on bonds issued before
3602 February 1, 2009, by the South Florida Water Management District
3603 and the St. Johns River Water Management District, which are
3604 secured by revenues provided pursuant to former s. 373.59,
3605 Florida Statutes 2014, or which are necessary to fund debt
3606 service reserve funds, rebate obligations, or other amounts
3607 payable with respect to such bonds. This paragraph expires July
3608 1, 2016; and

3609 (c) Then, to distribute \$32 million each fiscal year to the
3610 South Florida Water Management District for the Long-Term Plan
3611 as defined in s. 373.4592(2). This paragraph expires July 1,
3612 2024 pay the rentals due under lease-purchase agreements or to
3613 meet debt service requirements of revenue bonds issued pursuant
3614 to s. 375.051; provided, however, that debt service on Save Our
3615 Coast bonds shall not be paid from moneys transferred to the
3616 Land Acquisition Trust Fund pursuant to s. 259.032(2)(b).

3617 (4)(3)(a) Any remaining moneys in the Land Acquisition
3618 Trust Fund which are not distributed pledged for rentals or debt
3619 service as provided in subsection (3) (2) may be appropriated
3620 expended from time to time for the purposes set forth in s. 28,
3621 Art. X of the State Constitution to acquire land, water areas,
3622 and related resources and to construct, improve, enlarge,
3623 extend, operate, and maintain capital improvements and
3624 facilities in accordance with the plan.

3625 (b) In addition to the uses allowed under paragraph (a),

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3626 ~~for the 2014-2015 fiscal year, moneys in the Land Acquisition~~
3627 ~~Trust Fund may be transferred to support the Total Maximum Daily~~
3628 ~~Loads Program as provided in the General Appropriations Act.~~
3629 ~~This paragraph expires July 1, 2015.~~

3630 ~~(c) For the 2014-2015 fiscal year only, moneys in the Land~~
3631 ~~Acquisition Trust Fund may be transferred to the Save Our~~
3632 ~~Everglades Trust Fund to support Everglades restoration projects~~
3633 ~~included in the final report of the Select Committee on Indian~~
3634 ~~River Lagoon and Lake Okeechobee Basin, dated November 8, 2013,~~
3635 ~~and to the Florida Forever Trust Fund for the Florida Forever~~
3636 ~~program pursuant to nonoperating budget authority under s.~~
3637 ~~216.181(12). This paragraph expires July 1, 2015.~~

3638 ~~(4) The department may disburse moneys in the Land~~
3639 ~~Acquisition Trust Fund to pay all necessary expenses to carry~~
3640 ~~out the purposes of this act. The department shall disburse~~
3641 ~~moneys from the Land Acquisition Trust Fund to the Fish and~~
3642 ~~Wildlife Conservation Commission for the purpose of funding law~~
3643 ~~enforcement services on state lands.~~

3644 (5) Moneys accruing to other agencies for the purposes
3645 designated in subsection (1) shall be transferred pursuant to
3646 nonoperating budget authority under s. 216.181(12). Agencies
3647 shall maintain the integrity of such transferred moneys. Any
3648 transferred moneys available from reversions or reductions of
3649 budget authority in the other agencies shall be transferred back
3650 to the Land Acquisition Trust Fund in the Department of
3651 Environmental Protection within 15 days after such reversion or
3652 reduction and must be available for future appropriation
3653 pursuant to s. 28, Art. X of the State Constitution.

3654 (6)~~(5)~~ When the Legislature has authorized the Department

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3655 of Environmental Protection to condemn a specific parcel of land
3656 and such parcel already has been approved for acquisition
3657 through the fund, the land may be acquired in accordance with
3658 the provisions of chapter 73 or chapter 74, and the fund may be
3659 used to pay the condemnation award and all costs, including a
3660 reasonable attorney fees ~~attorney's fee~~, associated with
3661 condemnation.

3662 Section 51. Subsection (2) of section 375.044, Florida
3663 Statutes, is amended to read:

3664 375.044 Land Acquisition Trust Fund budget request.—

3665 (2) The legislative budget request shall be submitted to
3666 the Executive Office of the Governor and the Legislature in
3667 conjunction with the provisions of ss. 216.023, 216.031, and
3668 216.043. The 10-year request shall include, but need ~~shall~~ not
3669 be limited to:

3670 (a) A 10-year annual cash-flow analysis of the Land
3671 Acquisition Trust Fund.

3672 ~~(b) The requested schedule of the agency for issuance of~~
3673 ~~Save Our Coasts bonds.~~

3674 (b)(e) Forecasts of anticipated revenues to the Land
3675 Acquisition Trust Fund.

3676 (c)(d) The estimate of the agency of Land Acquisition Trust
3677 Fund encumbrances and commitments for each year and the
3678 corresponding estimates of expenditures.

3679 Section 52. Section 375.045, Florida Statutes, is repealed.

3680 Section 53. Subsection (1) and paragraph (c) of subsection
3681 (2) of section 375.075, Florida Statutes, are amended to read:

3682 375.075 Outdoor recreation; financial assistance to local
3683 governments.—

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3684 (1) The Department of Environmental Protection is
3685 authorized to establish the Florida Recreation Development
3686 Assistance Program to provide grants, subject to legislative
3687 appropriation, to qualified local governmental entities to
3688 acquire or develop land for public outdoor recreation purposes.
3689 ~~To the extent not needed for debt service on bonds issued~~
3690 ~~pursuant to s. 375.051, each year the department shall develop~~
3691 ~~and plan a program which shall be based upon funding of not less~~
3692 ~~than 5 percent of the money credited to the Land Acquisition~~
3693 ~~Trust Fund pursuant to s. 201.15(2) and (3) in that year. The~~
3694 department shall develop and plan a program that must ~~which~~
3695 ~~shall~~ be based upon the ~~cumulative total~~ funding appropriated by
3696 the Legislature for such purpose ~~provided from this section and~~
3697 ~~from the Florida Forever Trust Fund pursuant to s.~~
3698 ~~259.105(3)(d).~~

3699 (2)

3700 (c) Funds may not be released under ~~No release of funds~~
3701 ~~from the Land Acquisition Trust Fund, or from the Florida~~
3702 ~~Forever Trust Fund beginning in fiscal year 2001-2002, for this~~
3703 program ~~may be made~~ for these public recreation projects until
3704 the projects have been selected through the competitive
3705 selection process provided for in this section.

3706 Section 54. Section 376.11, Florida Statutes, is amended to
3707 read:

3708 376.11 Florida Coastal Protection Trust Fund.—

3709 (1) The purpose of this section is to provide a mechanism
3710 to have financial resources immediately available for prevention
3711 of, and cleanup and rehabilitation after, a pollutant discharge,
3712 to prevent further damage by the pollutant, and to pay for

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3713 damages. It is the legislative intent that this section be
3714 liberally construed to effect the purposes set forth, such
3715 interpretation being especially imperative in light of the
3716 danger to the environment and resources.

3717 (2) The Florida Coastal Protection Trust Fund is
3718 established, to be used by the department and the Fish and
3719 Wildlife Conservation Commission as a nonlapsing revolving fund
3720 ~~for carrying out the purposes of ss. 376.011-376.21.~~

3721 (3) The following funds shall be deposited into the Florida
3722 Coastal Protection Trust Fund: ~~To this fund shall be credited~~

3723 (a) All registration fees, penalties, judgments, damages
3724 recovered pursuant to s. 376.121, other fees and charges related
3725 to ss. 376.011-376.21, and the excise tax revenues levied,
3726 collected, and credited pursuant to ss. 206.9935(1) and
3727 206.9945(1) (a);

3728 (b) Proceeds of fines and awards of damages pursuant to s.
3729 161.054; and

3730 (c) Funds from other sources otherwise specified by law.

3731 (4) Charges against the fund shall be in accordance with
3732 this section.

3733 (5)~~(3)~~ Moneys in the fund that are not needed currently to
3734 meet the obligations of the department in the exercise of its
3735 responsibilities under ss. 376.011-376.21 shall be deposited
3736 with the Chief Financial Officer to the credit of the fund and
3737 may be invested in such manner as is provided for by statute.
3738 Interest received on such investment shall be credited to the
3739 fund, except as otherwise specified herein.

3740 (6)~~(4)~~ Moneys in the Florida Coastal Protection Trust Fund
3741 may ~~shall~~ be used ~~disbursed~~ for the following purposes ~~and no~~

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3742 ~~others:~~

3743 (a) To carry out the purposes of ss. 376.011-376.21.

3744 ~~(b)~~(a) To pay administrative expenses, personnel expenses,
3745 and equipment costs of the department and the Fish and Wildlife
3746 Conservation Commission related to the enforcement of ss.
3747 376.011-376.21.

3748 ~~(c)~~(b) All costs involved in the prevention and abatement
3749 of pollution related to the discharge of pollutants covered by
3750 ss. 376.011-376.21 and the abatement of other potential
3751 pollution hazards as authorized herein.

3752 ~~(d)~~(e) All costs and expenses of the cleanup, restoration,
3753 and rehabilitation of waterfowl, wildlife, and all other natural
3754 resources damaged by the discharge of pollutants, including the
3755 costs of assessing and recovering damages to natural resources,
3756 whether performed or authorized by the department or any other
3757 state or local agency.

3758 ~~(e)~~(d) All provable costs and damages which are the
3759 proximate results of the discharge of pollutants covered by ss.
3760 376.011-376.21.

3761 ~~(f)~~(e) Loans to the Inland Protection Trust Fund created in
3762 s. 376.3071.

3763 ~~(g)~~(f) The interest earned from investments of the balance
3764 in the Florida Coastal Protection Trust Fund shall be used for
3765 funding the administrative expenses, personnel expenses, and
3766 equipment costs of the department relating to the enforcement of
3767 ss. 376.011-376.21.

3768 ~~(h)~~(g) The funding of a grant program to local governments,
3769 pursuant to s. 376.15(3)(d) and (e), for the removal of derelict
3770 vessels from the public waters of the state.

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3771 (i)~~(h)~~ The department may spend up to \$1 million per year
3772 from the principal of the fund to acquire, design, train, and
3773 maintain emergency cleanup response teams and equipment located
3774 at appropriate ports throughout the state for the purpose of
3775 cleaning oil and other toxic materials from coastal waters. When
3776 the teams and equipment are not needed for these purposes they
3777 may be used for any other valid purpose of the department.

3778 (j)~~(i)~~ To provide a temporary transfer of funds in an
3779 amount not to exceed \$10 million to the Minerals Trust Fund as
3780 set forth in s. 376.40.

3781 (k)~~(j)~~ Funding for marine law enforcement.

3782 (7)~~(5)~~ Any interest in lands acquired using moneys in the
3783 Florida Coastal Protection Trust Fund shall be held by the
3784 Trustees of the Internal Improvement Trust Fund, and such lands
3785 shall be acquired pursuant to the procedures set forth in s.
3786 253.025.

3787 (8)~~(6)~~ The department shall recover to the use of the fund
3788 from the person or persons causing the discharge or from the
3789 Federal Government, jointly and severally, all sums owed or
3790 expended from the fund, pursuant to s. 376.123(10), except that
3791 recoveries resulting from damage due to a discharge of a
3792 pollutant or other similar disaster shall be apportioned between
3793 the Florida Coastal Protection Trust Fund and the General
3794 Revenue Fund so as to repay the full costs to the General
3795 Revenue Fund of any sums disbursed therefrom as a result of such
3796 disaster. Requests for reimbursement to the fund for the above
3797 costs, if not paid within 30 days of demand, shall be turned
3798 over to the Department of Legal Affairs for collection.

3799 Section 55. Subsection (8) of section 376.123, Florida

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3800 Statutes, is amended to read:

3801 376.123 Claims against the Florida Coastal Protection Trust
3802 Fund.—

3803 (8) If a person chooses to make a claim against the fund
3804 and accepts payment from, or a judgment against, the fund, then
3805 the department shall be subrogated to any cause of action that
3806 the claimant may have had, to the extent of such payment or
3807 judgment, and shall diligently pursue recovery on that cause of
3808 action pursuant to subsection (10) and s. 376.11(8) ~~s.~~

3809 ~~376.11(6)~~. In any such action, the amount of damages shall be
3810 proved by the department by submitting to the court a written
3811 report of the amounts paid or owed from the fund to claimants.
3812 Such written report shall be admissible as evidence, and the
3813 amounts paid from or owed by the fund to the claimants stated
3814 therein shall be irrebuttably presumed to be the amount of
3815 damages.

3816 Section 56. Paragraphs (g) through (l) are added to
3817 subsection (1) of section 376.307, Florida Statutes, subsection
3818 (4) of that section is amended, and subsection (8) is added to
3819 that section, to read:

3820 376.307 Water Quality Assurance Trust Fund.—

3821 (1) The Water Quality Assurance Trust Fund is intended to
3822 serve as a broad-based fund for use in responding to incidents
3823 of contamination that pose a serious danger to the quality of
3824 groundwater and surface water resources or otherwise pose a
3825 serious danger to the public health, safety, or welfare. Moneys
3826 in this fund may be used:

3827 (g) For detailed planning for and implementation of
3828 programs for the management and restoration of ecosystems.

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3829 (h) For development and implementation of surface water
3830 improvement and management plans and programs under ss. 373.451-
3831 373.4595.

3832 (i) For activities to restore polluted areas of the state,
3833 as defined by the department, to their condition before
3834 pollution occurred or to otherwise enhance pollution control
3835 activities.

3836 (j) For activities undertaken by the department to recover
3837 moneys as a result of actions against a person for a violation
3838 of chapter 373.

3839 (k) For funding activities described in s. 403.086(9) which
3840 are authorized for implementation under the Leah Schad Memorial
3841 Ocean Outfall Program.

3842 (l) For funding activities to restore or rehabilitate
3843 injured or destroyed coral reefs.

3844 (4) The trust fund shall be funded as follows:

3845 (a) An annual transfer of interest funds from the Florida
3846 Coastal Protection Trust Fund pursuant to s. 376.11(6)(g) ~~s.~~
3847 ~~376.11(4)(f)~~.

3848 (b) All excise taxes levied, collected, and credited to the
3849 Water Quality Assurance Trust Fund in accordance with the
3850 provisions of ss. 206.9935(2) and 206.9945(1)(b).

3851 (c) All penalties, judgments, recoveries, reimbursements,
3852 and other fees and charges related to the enforcement of ss.
3853 376.30-376.317, other than penalties, judgments, and other fees
3854 and charges related to the enforcement of ss. 376.3071 and
3855 376.3073.

3856 (d) The fee on the retail sale of lead-acid batteries
3857 credited to the Water Quality Assurance Trust Fund under s.

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3858 403.7185.

3859 (e) All penalties, judgments, recoveries, reimbursements,
3860 loans, and other fees and charges collected under s. 376.3078;
3861 tax revenues levied, collected, and credited under ss. 376.70
3862 and 376.75; and registration fees collected under s.
3863 376.303(1)(d).

3864 (f) All civil penalties recovered pursuant to s.
3865 373.129(5)(a).

3866 (g) Funds appropriated by the Legislature for the purposes
3867 of ss. 373.451-373.4595.

3868 (h) Moneys collected pursuant to s. 403.121 and designated
3869 for deposit into the Water Quality Assurance Trust Fund.

3870 (i) Moneys recovered by the state as a result of actions
3871 initiated by the department against a person for a violation of
3872 chapter 373 or chapter 403.

3873 (j) Damages recovered pursuant to s. 403.93345 for coral
3874 reef protection.

3875 (k) Funds available for the Leah Schad Memorial Ocean
3876 Outfall Program pursuant to s. 403.08601.

3877 (l) Funds received by the state for injury to or
3878 destruction of coral reefs, which funds would otherwise be
3879 deposited into the General Revenue Fund or the Internal
3880 Improvement Trust Fund. The department may enter into settlement
3881 agreements that require responsible parties to pay a third party
3882 to fund projects related to the restoration of a coral reef, to
3883 accomplish mitigation for injury to a coral reef, or to support
3884 the activities of law enforcement agencies related to coral reef
3885 injury response, investigation, and assessment. Participation of
3886 a law enforcement agency in the receipt of funds through this

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3887 mechanism shall be at the law enforcement agency's discretion.
3888 (m) Moneys from sources otherwise specified by law.
3889 (8) A settlement entered into by the department may not
3890 limit the Legislature's authority to appropriate moneys from the
3891 trust fund; however, the department may enter into a settlement
3892 in which the department agrees to request that moneys received
3893 pursuant to the settlement will be included in its legislative
3894 budget request for purposes set out in the settlement; and
3895 further, the department may enter into a settlement in cases
3896 involving joint enforcement with the Hillsborough County
3897 pollution control program, as a program approved by the
3898 department pursuant to s. 403.182, in which the department
3899 agrees that moneys are to be deposited into that local program's
3900 pollution recovery fund and used for projects directed toward
3901 addressing the environmental damage that was the subject of the
3902 cause of action for which funds were received.

3903 Section 57. Subsection (4) of section 376.40, Florida
3904 Statutes, is amended to read:

3905 376.40 Petroleum exploration and production; purposes;
3906 funding.—

3907 (4) FUNDING.—There shall be deposited in the Minerals Trust
3908 Fund:

3909 (a) All fees charged permittees under ss. 377.24(1),
3910 377.2408(1), and 377.2425(1) (b).

3911 (b) All penalties, judgments, recoveries, reimbursements,
3912 and other fees and charges related to the implementation of this
3913 section.

3914 (c) Any other funds required to be deposited in the trust
3915 fund under provisions of law.

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3916
3917 If moneys on deposit in the trust fund are not sufficient to
3918 satisfy the needed remedial or corrective action, and if the
3919 responsible party does not take remedial and corrective action
3920 in a timely manner or if a catastrophic event occurs, a
3921 temporary transfer of the required amount, or a maximum of \$10
3922 million, from the Florida Coastal Protection Trust Fund pursuant
3923 to s. 376.11(6)(j) ~~s. 376.11(4)(i)~~ is authorized. The Florida
3924 Coastal Protection Trust Fund shall be reimbursed immediately
3925 upon deposit into the Minerals Trust Fund of moneys referred to
3926 in paragraph (b).

3927 Section 58. Section 379.202, Florida Statutes, is repealed.

3928 Section 59. Subsection (2) of section 379.206, Florida
3929 Statutes, is amended, and subsection (3) is added to that
3930 section, to read:

3931 379.206 Grants and Donations Trust Fund.—

3932 (2) The fund is established for use as a depository for
3933 funds to be used for allowable grant and donor agreement
3934 activities funded by restricted contractual revenue. Moneys to
3935 be credited to the trust fund shall consist of grants and
3936 donations from private and public nonfederal sources,
3937 development-of-regional-impact wildlife mitigation
3938 contributions, interest earnings, and cash advances from other
3939 trust funds.

3940 (3) If acquisition pursuant to this section will result in
3941 state ownership of land, title shall be vested in the Board of
3942 Trustees of the Internal Improvement Trust Fund as required in
3943 chapter 253. Land acquisition pursuant to this section shall be
3944 voluntary, negotiated acquisition and, if title is to be vested

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3945 in the Board of Trustees of the Internal Improvement Trust Fund,
3946 is subject to the acquisition procedures of s. 253.025.

3947 Section 60. Section 379.212, Florida Statutes, is amended
3948 to read:

3949 379.212 Land Acquisition Trust Fund.—

3950 (1) (a) There is established within the Fish and Wildlife
3951 Conservation Commission the Land Acquisition Trust Fund to
3952 implement s. 28, Art. X of the State Constitution ~~for the~~
3953 ~~purpose of acquiring, assisting other agencies or local~~
3954 ~~governments in acquiring, or managing lands important to the~~
3955 ~~conservation of fish and wildlife.~~

3956 (b) The Fish and Wildlife Conservation Commission or its
3957 designee shall manage such lands for the primary purpose of
3958 maintaining and enhancing their habitat value for fish and
3959 wildlife. Other uses may be allowed that are not contrary to
3960 this purpose.

3961 (c) Where acquisition pursuant to this section will result
3962 in state ownership of land, title shall be vested in the Board
3963 of Trustees of the Internal Improvement Trust Fund as required
3964 in chapter 253. Land acquisition pursuant to this section shall
3965 be voluntary, negotiated acquisition and, where title is to be
3966 vested in the Board of Trustees of the Internal Improvement
3967 Trust Fund, is subject to the acquisition procedures of s.
3968 253.025.

3969 (d) Acquisition costs shall include purchase prices and
3970 costs and fees associated with title work, surveys, and
3971 appraisals required to complete an acquisition.

3972 (2) The fund may be credited with funds transferred from
3973 the Land Acquisition Trust Fund within the Department of

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3974 Environmental Protection as provided in s. 375.041 ~~Moneys which~~
3975 ~~may be deposited into the Land Acquisition Trust Fund for the~~
3976 ~~purposes of this section may include, but not be limited to,~~
3977 ~~donations, grants, development of regional impact wildlife~~
3978 ~~mitigation contributions, or legislative appropriations.~~
3979 ~~Preservation 2000 acquisition moneys and Conservation and~~
3980 ~~Recreation Lands management moneys shall not be deposited into~~
3981 ~~this fund.~~

3982 (3) The Fish and Wildlife Conservation Commission shall
3983 maintain the integrity of such moneys transferred from the
3984 Department of Environmental Protection. Any transferred moneys
3985 available from reversions and reductions in budget authority
3986 shall be transferred back to the Land Acquisition Trust Fund in
3987 the Department of Environmental Protection within 15 days after
3988 such reversion or reduction and must be available for future
3989 appropriation pursuant to s. 28, Art. X of the State
3990 Constitution.

3991 Section 61. (1) All undisbursed, unobligated balances and
3992 all certified forward appropriations remaining in the Land
3993 Acquisition Trust Fund within the Fish and Wildlife Conservation
3994 Commission on June 30, 2015, shall be transferred to the Grants
3995 and Donations Trust Fund, FLAIR number 77-2-339, within the Fish
3996 and Wildlife Conservation Commission.

3997 (2) This section shall take effect upon this act becoming a
3998 law or on June 29, 2015, whichever occurs earlier.

3999 Section 62. Subsection (2) of section 379.214, Florida
4000 Statutes, is amended to read:

4001 379.214 Invasive Plant Control Trust Fund.—

4002 (2) Funds to be credited to and uses of the trust fund

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4003 shall be administered in accordance with the provisions of ss.
4004 ~~201.15,~~ 206.606, 328.76, 369.20, 369.22, 369.252, and 379.502.

4005 Section 63. Subsection (12) of section 380.0666, Florida
4006 Statutes, is amended to read:

4007 380.0666 Powers of land authority.—The land authority shall
4008 have all the powers necessary or convenient to carry out and
4009 effectuate the purposes and provisions of this act, including
4010 the following powers, which are in addition to all other powers
4011 granted by other provisions of this act:

4012 (12) To identify parcels of land within the area or areas
4013 of critical state concern that would be appropriate acquisitions
4014 by the state ~~from the Conservation and Recreational Lands Trust~~
4015 ~~Fund~~ and recommend such acquisitions to the advisory council
4016 established pursuant to s. 259.035 or its successor.

4017 Section 64. Section 380.0677, Florida Statutes, is
4018 repealed.

4019 Section 65. Subsection (11) of section 380.507, Florida
4020 Statutes, is amended to read:

4021 380.507 Powers of the trust.—The trust shall have all the
4022 powers necessary or convenient to carry out the purposes and
4023 provisions of this part, including:

4024 (11) To make rules necessary to carry out the purposes of
4025 this part and to exercise any power granted in this part,
4026 pursuant to ~~the provisions of~~ chapter 120. The trust shall adopt
4027 rules governing the acquisition of lands with using proceeds
4028 from ~~the Preservation 2000 Trust Fund and the Florida Forever~~
4029 ~~Trust Fund~~, consistent with the intent expressed in the Florida
4030 Forever Act. Such rules for land acquisition must include, but
4031 are not limited to, procedures for appraisals and

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4032 confidentiality consistent with ss. 125.355(1)(a) and (b) and
4033 166.045(1)(a) and (b), a method of determining a maximum
4034 purchase price, and procedures to assure that the land is
4035 acquired in a voluntarily negotiated transaction, surveyed,
4036 conveyed with marketable title, and examined for hazardous
4037 materials contamination. Land acquisition procedures of a local
4038 land authority created pursuant to s. 380.0663 ~~or s. 380.0677~~
4039 may be used for the land acquisition programs described in
4040 former s. ~~by ss.~~ 259.101(3)(c), Florida Statutes 2014, and in s.
4041 259.105 if within areas of critical state concern designated
4042 pursuant to s. 380.05, subject to approval of the trust.

4043 Section 66. Subsection (4) of section 380.508, Florida
4044 Statutes, is amended to read:

4045 380.508 Projects; development, review, and approval.—

4046 (4) Projects or activities which the trust undertakes,
4047 coordinates, or funds in any manner shall comply with the
4048 following guidelines:

4049 (a) The purpose of redevelopment projects shall be to
4050 restore areas which are adversely affected by scattered
4051 ownership, poor lot layout, inadequate park and open space,
4052 incompatible land uses, or other conditions which endanger the
4053 environment or impede orderly development. Grants and loans
4054 awarded for redevelopment projects shall be used for assembling
4055 parcels of land within redevelopment project areas for the
4056 redesign of such areas and for the installation of public
4057 improvements required to serve such areas. After redesign and
4058 installation of public improvements, if any, lands in
4059 redevelopment projects, with the exception of lands acquired for
4060 public purposes, shall be conveyed to any person for development

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4061 in accordance with a redevelopment project plan approved
4062 according to this part.

4063 (b) The purpose of resource enhancement projects shall be
4064 to enhance natural resources which, because of indiscriminate
4065 dredging or filling, improper location of improvements, natural
4066 or human-induced events, or incompatible land uses, have
4067 suffered loss of natural and scenic values. Grants and loans
4068 awarded for resource enhancement projects shall be used for the
4069 assembly of parcels of land to improve resource management, for
4070 relocation of improperly located or designed improvements, and
4071 for other corrective measures which will enhance the natural and
4072 scenic character of project areas.

4073 (c) The purpose of public access projects shall be to
4074 acquire interests in and initially develop lands which are
4075 suitable for and which will be used for public accessways to
4076 surface waters. The trust shall identify local governments and
4077 nonprofit organizations which will accept responsibility for
4078 maintenance and liability for public accessways which are
4079 located outside the state park system. The trust may lease any
4080 public access site developed under this part to a local
4081 government or nonprofit organization, provided that the
4082 conditions of the lease guarantee public use of the site. The
4083 trust may accept, from any local government or nonprofit
4084 organization, fees collected for providing public access to
4085 surface waters. The trust shall expend any such funds it accepts
4086 only for acquisition, development, and maintenance of such
4087 public accessways. To the maximum extent possible, the trust
4088 shall expend such fees in the general area where they are
4089 collected or in areas where public access to surface waters is

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4090 clearly deficient. The trust may transfer funds, including such
4091 fees, to a local government or nonprofit organization to acquire
4092 public access sites. In developing or coordinating public access
4093 projects, the trust shall ensure that project plans involving
4094 beach access are consistent with state laws governing beach
4095 access.

4096 (d) The purpose of urban waterfront restoration projects
4097 shall be to restore deteriorated or deteriorating urban
4098 waterfronts for public use and enjoyment. Urban waterfront
4099 restoration projects shall include public access sites.

4100 (e) The purpose of working waterfront projects shall be to
4101 restore and preserve working waterfronts as provided in s.
4102 380.5105.

4103 (f) The trust shall cooperate with local governments, state
4104 agencies, federal agencies, and nonprofit organizations in
4105 ensuring the reservation of lands for parks, recreation, fish
4106 and wildlife habitat, historical preservation, or scientific
4107 study. If ~~In the event that~~ any local government, state agency,
4108 federal agency, or nonprofit organization is unable, due to
4109 limited financial resources or other circumstances of a
4110 temporary nature, to acquire a site for the purposes described
4111 in this paragraph, the trust may acquire and hold the site for
4112 subsequent conveyance to the appropriate governmental agency or
4113 nonprofit organization. The trust may provide such technical
4114 assistance as ~~is~~ required to aid local governments, state and
4115 federal agencies, and nonprofit organizations in completing
4116 acquisition and related functions. The trust may ~~shall~~ not
4117 reserve lands acquired in accordance with this paragraph for
4118 more than 5 years from the time of acquisition. A local

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4119 government, federal or state agency, or nonprofit organization
4120 may acquire the land at any time during this period for public
4121 purposes. The purchase price shall be based upon the trust's
4122 cost of acquisition, plus administrative and management costs in
4123 reserving the land. The payment of the ~~this~~ purchase price shall
4124 be by money, trust-approved property of an equivalent value, or
4125 a combination of money and trust-approved property. If, after
4126 the 5-year period, the trust has not sold to a governmental
4127 agency or nonprofit organization land acquired for site
4128 reservation, the trust shall dispose of such land at fair market
4129 value or shall trade it for other land of comparable value which
4130 will serve to accomplish the purposes of this part. Any proceeds
4131 from the sale of such land received by the department shall be
4132 deposited into ~~in~~ the appropriate ~~Florida Communities~~ trust fund
4133 pursuant to s. 253.034(6) (k), (l), or (m).

4134
4135 Project costs may include costs of providing parks, open space,
4136 public access sites, scenic easements, and other areas and
4137 facilities serving the public where such features are part of a
4138 project plan approved according to this part. In undertaking or
4139 coordinating projects or activities authorized by this part, the
4140 trust shall, when appropriate, use and promote the use of
4141 creative land acquisition methods, including the acquisition of
4142 less than fee interest through, among other methods,
4143 conservation easements, transfer of development rights, leases,
4144 and leaseback arrangements. The trust ~~also~~ shall assist local
4145 governments in the use of sound alternative methods of financing
4146 for funding projects and activities authorized under ~~by~~ this
4147 part. Any funds over and above eligible project costs, which

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4148 remain after completion of a project approved according to this
4149 part, shall be transmitted to the state and deposited into ~~in~~
4150 the Florida Forever ~~Florida Communities~~ Trust Fund.

4151 Section 67. Paragraph (f) of subsection (3) and subsections
4152 (5) and (7) of section 380.510, Florida Statutes, are amended to
4153 read:

4154 380.510 Conditions of grants and loans.—

4155 (3) In the case of a grant or loan for land acquisition,
4156 agreements shall provide all of the following:

4157 ~~(f) The term of any grant using funds received from the~~
4158 ~~Preservation 2000 Trust Fund, pursuant to s. 259.101(3)(c),~~
4159 ~~shall be for a period not to exceed 24 months. The governing~~
4160 ~~board of the trust may offer a grant with a shorter term and may~~
4161 ~~extend a grant beyond 24 months when the grant recipient~~
4162 ~~demonstrates that significant progress is being made toward~~
4163 ~~closing the project or that extenuating circumstances warrant an~~
4164 ~~extension of time. If a local government project which was~~
4165 ~~awarded a grant is not closed within 24 months and the governing~~
4166 ~~board of the trust does not grant an extension, the grant~~
4167 ~~reverts to the trust's unencumbered balance of Preservation 2000~~
4168 ~~funds to be redistributed to other eligible projects. The local~~
4169 ~~government may reapply for a grant to fund the project in the~~
4170 ~~trust's next application cycle.~~

4171
4172 Any deed or other instrument of conveyance whereby a nonprofit
4173 organization or local government acquires real property under
4174 this section shall set forth the interest of the state. The
4175 trust shall keep at least one copy of any such instrument and
4176 shall provide at least one copy to the Board of Trustees of the

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4177 Internal Improvement Trust Fund.

4178 (5) Any funds the trust collects from a nonprofit
4179 organization or local government under a grant or loan agreement
4180 shall be deposited into ~~in~~ the Internal Improvement Florida
4181 ~~Communities~~ Trust Fund within the Department of Environmental
4182 Protection.

4183 (7) Any funds received by the trust ~~from the Preservation~~
4184 ~~2000 Trust Fund~~ pursuant to s. 259.105(3) (c) or s. 375.041 s.
4185 ~~259.101(3) (c) and the Florida Forever Trust Fund pursuant to s.~~
4186 ~~259.105(3) (c)~~ shall be held separate and apart from any other
4187 funds held by the trust and ~~shall be~~ used for the land
4188 acquisition purposes of this part. ~~In addition to the other~~
4189 ~~conditions set forth in this section, the disbursement of~~
4190 ~~Preservation 2000 and Florida Forever funds from the trust shall~~
4191 ~~be subject to the following conditions:~~

4192 (a) The administration and use of Florida Forever any funds
4193 are received by the trust from the Preservation 2000 Trust Fund
4194 ~~and the Florida Forever Trust Fund~~ shall be subject to such
4195 terms and conditions imposed thereon by the agency of the state
4196 responsible for the bonds, the proceeds of which are deposited
4197 into ~~in~~ the ~~Preservation 2000 Trust Fund and the Florida Forever~~
4198 ~~Trust Fund~~, including restrictions imposed to ensure that the
4199 interest on any such bonds issued by the state as tax-exempt
4200 bonds is ~~will~~ not be included in the gross income of the holders
4201 of such bonds for federal income tax purposes.

4202 (b) All deeds or leases with respect to any real property
4203 acquired with funds received by the trust from the Preservation
4204 2000 Trust Fund, the Florida Forever Trust Fund, or the Land
4205 Acquisition Trust Fund must ~~shall~~ contain such covenants and

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4206 restrictions as are sufficient to ensure that the use of such
4207 real property at all times complies with s. 375.051 and s. 9,
4208 Art. XII of the State Constitution. Each deed ~~All deeds~~ or lease
4209 ~~leases~~ with respect to any real property acquired with funds
4210 received by the trust from the Florida Forever Trust Fund before
4211 July 1, 2015, must ~~shall~~ contain ~~such~~ covenants and restrictions
4212 ~~as are~~ sufficient to ensure that the use of such real property
4213 at all times complies with s. 11(e), Art. VII of the State
4214 Constitution. Each deed or lease with respect to any real
4215 property acquired with funds received by the trust from the
4216 Florida Forever Trust Fund after July 1, 2015, must contain
4217 covenants and restrictions sufficient to ensure that the use of
4218 such real property at all times complies with s. 28, Art. X of
4219 the State Constitution. Each deed or lease must ~~shall~~ contain a
4220 reversion, conveyance, or termination clause that vests ~~will~~
4221 ~~vest~~ title in the Board of Trustees of the Internal Improvement
4222 Trust Fund if any of the covenants or restrictions are violated
4223 by the titleholder or leaseholder or by some third party with
4224 the knowledge of the titleholder or leaseholder.

4225 Section 68. Section 380.511, Florida Statutes, is repealed.

4226 Section 69. Subsection (2) of section 403.0615, Florida
4227 Statutes, is amended to read:

4228 403.0615 Water resources restoration and preservation.—

4229 (2) Subject to specific legislative appropriation, the
4230 department shall establish a program to assist in the
4231 restoration and preservation of bodies of water and to enhance
4232 existing public access when deemed necessary for the enhancement
4233 of the restoration effort. ~~This program shall be funded from the~~
4234 ~~General Revenue Fund, from funds available from the Ecosystem~~

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4235 ~~Management and Restoration Trust Fund, and from available~~
4236 ~~federal moneys.~~

4237 Section 70. Section 403.08601, Florida Statutes, is amended
4238 to read:

4239 403.08601 Leah Schad Memorial Ocean Outfall Program.—The
4240 Legislature declares that as funds become available the state
4241 may assist the local governments and agencies responsible for
4242 implementing the Leah Schad Memorial Ocean Outfall Program
4243 pursuant to s. 403.086(9). Funds received from other sources
4244 provided for in law, the General Appropriations Act, from gifts
4245 designated for implementation of the plan from individuals,
4246 corporations, or other entities, or federal funds appropriated
4247 by Congress for implementation of the plan, may be deposited
4248 into an account of the Water Quality Assurance Ecosystem
4249 ~~Management and Restoration Trust Fund created pursuant to s.~~
4250 ~~403.1651.~~

4251 Section 71. Subsection (11) of section 403.121, Florida
4252 Statutes, is amended to read:

4253 403.121 Enforcement; procedure; remedies.—The department
4254 shall have the following judicial and administrative remedies
4255 available to it for violations of this chapter, as specified in
4256 s. 403.161(1).

4257 (11) Penalties collected pursuant to this section shall be
4258 deposited into ~~in~~ the Water Quality Assurance Ecosystem
4259 ~~Management and Restoration Trust Fund~~ or other trust fund
4260 designated by statute and shall be used to fund the restoration
4261 of ecosystems, or polluted areas of the state, as defined by the
4262 department, to their condition before pollution occurred. The
4263 Florida Conflict Resolution Consortium may use a portion of the

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4264 fund to administer the mediation process provided in paragraph
4265 (2) (e) and to contract with private mediators for administrative
4266 penalty cases.

4267 Section 72. Section 403.1651, Florida Statutes, is
4268 repealed.

4269 Section 73. Subsection (1) of section 403.885, Florida
4270 Statutes, is amended to read:

4271 403.885 Water Projects Grant Program.—

4272 (1) The Department of Environmental Protection shall
4273 administer a grant program to use funds ~~transferred pursuant to~~
4274 ~~s. 212.20 to the Ecosystem Management and Restoration Trust Fund~~
4275 ~~or other moneys~~ as appropriated by the Legislature for water
4276 quality improvement, stormwater management, wastewater
4277 management, and water restoration and other water projects as
4278 specifically appropriated by the Legislature. Eligible
4279 recipients of such grants include counties, municipalities,
4280 water management districts, and special districts that have
4281 legal responsibilities for water quality improvement, water
4282 management, stormwater management, wastewater management, lake
4283 and river water restoration projects, and drinking water
4284 projects pursuant to this section.

4285 Section 74. Section 403.8911, Florida Statutes, is
4286 repealed.

4287 Section 75. Subsection (6) of section 403.9325, Florida
4288 Statutes, is amended to read:

4289 403.9325 Definitions.—For the purposes of ss. 403.9321-
4290 403.9333, the term:

4291 (6) "Public lands that have been set aside for conservation
4292 or preservation" means:

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4293 (a) Lands and interests acquired with funds deposited into
4294 the Land Acquisition Trust Fund pursuant to s. 28(a), Art. X of
4295 the State Constitution;

4296 (b)~~(a)~~ Conservation and recreation lands under chapter 259;

4297 (c)~~(b)~~ State and national parks;

4298 (d)~~(e)~~ State and national reserves and preserves, except as
4299 provided in s. 403.9326(3);

4300 (e)~~(d)~~ State and national wilderness areas;

4301 (f)~~(e)~~ National wildlife refuges (only those lands under
4302 Federal Government ownership);

4303 (g)~~(f)~~ Lands acquired under the ~~through the Water~~
4304 ~~Management Lands Trust Fund~~, Save Our Rivers Program;

4305 (h)~~(g)~~ Lands acquired under the Save Our Coast program;

4306 (i)~~(h)~~ Lands acquired under the environmentally endangered
4307 lands bond program;

4308 (j)~~(i)~~ Public lands designated as conservation or
4309 preservation under a local government comprehensive plan;

4310 (k)~~(j)~~ Lands purchased by a water management district, the
4311 Fish and Wildlife Conservation Commission, or any other state
4312 agency for conservation or preservation purposes;

4313 (l)~~(k)~~ Public lands encumbered by a conservation easement
4314 that does not provide for the trimming of mangroves; and

4315 (m)~~(l)~~ Public lands designated as critical wildlife areas
4316 by the Fish and Wildlife Conservation Commission.

4317 Section 76. Paragraph (f) of subsection (3) and subsection
4318 (11) of section 403.93345, Florida Statutes, are amended to
4319 read:

4320 403.93345 Coral reef protection.—

4321 (3) As used in this section, the term:

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4322 (f) "Fund" means the Water Quality Assurance Ecosystem
4323 ~~Management and Restoration~~ Trust Fund.

4324 (11) All damages recovered by or on behalf of this state
4325 for injury to, or destruction of, the coral reefs of the state
4326 that would otherwise be deposited in the general revenue
4327 accounts of the State Treasury or in the Internal Improvement
4328 Trust Fund shall be deposited into ~~in~~ the Water Quality
4329 Assurance Ecosystem Management and Restoration Trust Fund in the
4330 department and shall remain in such account until expended by
4331 the department for the purposes of this section. Moneys in the
4332 fund received from damages recovered for injury to, or
4333 destruction of, coral reefs must be expended only for the
4334 following purposes:

4335 (a) To provide funds to the department for reasonable costs
4336 incurred in obtaining payment of the damages for injury to, or
4337 destruction of, coral reefs, including administrative costs and
4338 costs of experts and consultants. Such funds may be provided in
4339 advance of recovery of damages.

4340 (b) To pay for restoration or rehabilitation of the injured
4341 or destroyed coral reefs or other natural resources by a state
4342 agency or through a contract to any qualified person.

4343 (c) To pay for alternative projects selected by the
4344 department. Any such project shall be selected on the basis of
4345 its anticipated benefits to the residents of this state who used
4346 the injured or destroyed coral reefs or other natural resources
4347 or will benefit from the alternative project.

4348 (d) All claims for trust fund reimbursements under
4349 paragraph (a) must be made within 90 days after payment of
4350 damages is made to the state.

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4351 (e) Each private recipient of fund disbursements shall be
4352 required to agree in advance that its accounts and records of
4353 expenditures of such moneys are subject to audit at any time by
4354 appropriate state officials and to submit a final written report
4355 describing such expenditures within 90 days after the funds have
4356 been expended.

4357 (f) When payments are made to a state agency from the fund
4358 for expenses compensable under this subsection, such
4359 expenditures shall be considered as being for extraordinary
4360 expenses, and no agency appropriation shall be reduced by any
4361 amount as a result of such reimbursement.

4362 Section 77. Subsections (5) and (6) of section 420.5092,
4363 Florida Statutes, are amended to read:

4364 420.5092 Florida Affordable Housing Guarantee Program.—

4365 (5) Pursuant to s. 16, Art. VII of the State Constitution,
4366 the corporation may issue, in accordance with s. 420.509,
4367 revenue bonds of the corporation to establish the guarantee
4368 fund. The ~~Such~~ revenue bonds are ~~shall be~~ primarily payable from
4369 and secured by annual debt service reserves, from interest
4370 earned on funds on deposit in the guarantee fund, from fees,
4371 charges, and reimbursements established by the corporation for
4372 the issuance of affordable housing guarantees, and from any
4373 other revenue sources received by the corporation and deposited
4374 by the corporation into the guarantee fund for the issuance of
4375 affordable housing guarantees. If ~~To the extent~~ such primary
4376 revenue sources are considered insufficient by the corporation,
4377 pursuant to the certification provided in subsection (6), to
4378 fully fund the annual debt service reserve, the certified
4379 deficiency in such reserve is also ~~shall be additionally~~ payable

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4380 from the first proceeds of the documentary stamp tax moneys
4381 deposited into the State Housing Trust Fund pursuant to s.
4382 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and (10)(a)~~ during the
4383 ensuing state fiscal year.

4384 (6)(a) If the primary revenue sources to be used for
4385 repayment of revenue bonds used to establish the guarantee fund
4386 are insufficient for such repayment, the annual principal and
4387 interest due on each series of revenue bonds are ~~shall be~~
4388 payable from funds in the annual debt service reserve. The
4389 corporation shall, before June 1 of each year, perform a
4390 financial audit to determine whether at the end of the state
4391 fiscal year there will be on deposit in the guarantee fund an
4392 annual debt service reserve from interest earned pursuant to the
4393 investment of the guarantee fund, fees, charges, and
4394 reimbursements received from issued affordable housing
4395 guarantees and other revenue sources available to the
4396 corporation. Based upon the findings in such guarantee fund
4397 financial audit, the corporation shall certify to the Chief
4398 Financial Officer the amount of any projected deficiency in the
4399 annual debt service reserve for any series of outstanding bonds
4400 as of the end of the state fiscal year and the amount necessary
4401 to maintain such annual debt service reserve. Upon receipt of
4402 such certification, the Chief Financial Officer shall transfer
4403 to the annual debt service reserve, from the first available
4404 taxes distributed to the State Housing Trust Fund pursuant to s.
4405 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and (10)(a)~~ during the
4406 ensuing state fiscal year, the amount certified as necessary to
4407 maintain the annual debt service reserve.

4408 (b) If the claims payment obligations under affordable

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4409 housing guarantees from amounts on deposit in the guarantee fund
4410 would cause the claims paying rating assigned to the guarantee
4411 fund to be less than the third-highest rating classification of
4412 any nationally recognized rating service, which classifications
4413 being consistent with s. 215.84(3) and rules adopted thereto by
4414 the State Board of Administration, the corporation shall certify
4415 to the Chief Financial Officer the amount of such claims payment
4416 obligations. Upon receipt of such certification, the Chief
4417 Financial Officer shall transfer to the guarantee fund, from the
4418 first available taxes distributed to the State Housing Trust
4419 Fund pursuant to s. 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and~~
4420 ~~(10)(a)~~ during the ensuing state fiscal year, the amount
4421 certified as necessary to meet such obligations, such transfer
4422 to be subordinate to any transfer referenced in paragraph (a)
4423 and not to exceed 50 percent of the amounts distributed to the
4424 State Housing Trust Fund pursuant to s. 201.15(4)(c) and (d) ~~s.~~
4425 ~~201.15(9)(a) and (10)(a)~~ during the preceding state fiscal year.

4426 Section 78. Subsections (1), (2), and (3) of section
4427 420.9073, Florida Statutes, are amended to read:

4428 420.9073 Local housing distributions.—

4429 (1) Distributions calculated in this section shall be
4430 disbursed on a quarterly or more frequent basis by the
4431 corporation pursuant to s. 420.9072, subject to availability of
4432 funds. Each county's share of the funds to be distributed from
4433 the portion of the funds in the Local Government Housing Trust
4434 Fund received pursuant to s. 201.15(4)(c) ~~s. 201.15(9)~~ shall be
4435 calculated by the corporation for each fiscal year as follows:

4436 (a) Each county other than a county that has implemented
4437 ~~the provisions of~~ chapter 83-220, Laws of Florida, as amended by

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4438 chapters 84-270, 86-152, and 89-252, Laws of Florida, shall
4439 receive the guaranteed amount for each fiscal year.

4440 (b) Each county other than a county that has implemented
4441 ~~the provisions of~~ chapter 83-220, Laws of Florida, as amended by
4442 chapters 84-270, 86-152, and 89-252, Laws of Florida, may
4443 receive an additional share calculated as follows:

4444 1. Multiply each county's percentage of the total state
4445 population excluding the population of any county that has
4446 implemented ~~the provisions of~~ chapter 83-220, Laws of Florida,
4447 as amended by chapters 84-270, 86-152, and 89-252, Laws of
4448 Florida, by the total funds to be distributed.

4449 2. If the result in subparagraph 1. is less than the
4450 guaranteed amount as determined in subsection (3), that county's
4451 additional share shall be zero.

4452 3. For each county in which the result in subparagraph 1.
4453 is greater than the guaranteed amount as determined in
4454 subsection (3), the amount calculated in subparagraph 1. shall
4455 be reduced by the guaranteed amount. The result for each such
4456 county shall be expressed as a percentage of the amounts so
4457 determined for all counties. Each such county shall receive an
4458 additional share equal to such percentage multiplied by the
4459 total funds received by the Local Government Housing Trust Fund
4460 pursuant to s. 201.15(4)(c) ~~s. 201.15(9)~~ reduced by the
4461 guaranteed amount paid to all counties.

4462 (2) Distributions calculated in this section shall be
4463 disbursed on a quarterly or more frequent basis by the
4464 corporation pursuant to s. 420.9072, subject to availability of
4465 funds. Each county's share of the funds to be distributed from
4466 the portion of the funds in the Local Government Housing Trust

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4467 Fund received pursuant to s. 201.15(4)(d) ~~s. 201.15(10)~~ shall be
4468 calculated by the corporation for each fiscal year as follows:

4469 (a) Each county shall receive the guaranteed amount for
4470 each fiscal year.

4471 (b) Each county may receive an additional share calculated
4472 as follows:

4473 1. Multiply each county's percentage of the total state
4474 population, by the total funds to be distributed.

4475 2. If the result in subparagraph 1. is less than the
4476 guaranteed amount as determined in subsection (3), that county's
4477 additional share shall be zero.

4478 3. For each county in which the result in subparagraph 1.
4479 is greater than the guaranteed amount, the amount calculated in
4480 subparagraph 1. shall be reduced by the guaranteed amount. The
4481 result for each such county shall be expressed as a percentage
4482 of the amounts so determined for all counties. Each such county
4483 shall receive an additional share equal to this percentage
4484 multiplied by the total funds received by the Local Government
4485 Housing Trust Fund pursuant to s. 201.15(4)(d) ~~s. 201.15(10)~~ as
4486 reduced by the guaranteed amount paid to all counties.

4487 (3) Calculation of guaranteed amounts:

4488 (a) The guaranteed amount under subsection (1) shall be
4489 calculated for each state fiscal year by multiplying \$350,000 by
4490 a fraction, the numerator of which is the amount of funds
4491 distributed to the Local Government Housing Trust Fund pursuant
4492 to s. 201.15(4)(c) ~~s. 201.15(9)~~ and the denominator of which is
4493 the total amount of funds distributed to the Local Government
4494 Housing Trust Fund pursuant to s. 201.15.

4495 (b) The guaranteed amount under subsection (2) shall be

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4496 calculated for each state fiscal year by multiplying \$350,000 by
4497 a fraction, the numerator of which is the amount of funds
4498 distributed to the Local Government Housing Trust Fund pursuant
4499 to s. 201.15(4)(d) ~~s. 201.15(10)~~ and the denominator of which is
4500 the total amount of funds distributed to the Local Government
4501 Housing Trust Fund pursuant to s. 201.15.

4502 Section 79. Section 570.207, Florida Statutes, is repealed.

4503 Section 80. Subsection (2) of section 570.321, Florida
4504 Statutes, is amended to read:

4505 570.321 Plant Industry Trust Fund.—

4506 (2) Funds to be credited to and uses of the trust fund
4507 shall be administered in accordance with ss. ~~259.032~~, 581.031,
4508 581.141, 581.211, 581.212, 586.045, 586.15, 586.16, 593.114, and
4509 593.117.

4510 Section 81. Subsection (12) of section 570.71, Florida
4511 Statutes, is amended to read:

4512 570.71 Conservation easements and agreements.—

4513 (12) The department may use appropriated funds from the
4514 following sources to implement this section:

4515 (a) State funds;

4516 (b) Federal funds;

4517 (c) Other governmental entities;

4518 (d) Nongovernmental organizations; or

4519 (e) Private individuals.

4520
4521 Any such funds provided, other than from the Land Acquisition
4522 Trust Fund, shall be deposited into the Incidental Conservation
4523 and Recreation Lands Program Trust Fund within the Department of
4524 Agriculture and Consumer Services and used for the purposes of

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4525 this section, including administrative and operating expenses
4526 related to appraisals, mapping, title process, personnel, and
4527 other real estate expenses.

4528 Section 82. Paragraph (c) of subsection (1) of section
4529 895.09, Florida Statutes, is amended to read:

4530 895.09 Disposition of funds obtained through forfeiture
4531 proceedings.—

4532 (1) A court entering a judgment of forfeiture in a
4533 proceeding brought pursuant to s. 895.05 shall retain
4534 jurisdiction to direct the distribution of any cash or of any
4535 cash proceeds realized from the forfeiture and disposition of
4536 the property. The court shall direct the distribution of the
4537 funds in the following order of priority:

4538 (c) Any claim by the Board of Trustees of the Internal
4539 Improvement Trust Fund on behalf of the Internal Improvement
4540 Trust Fund or the ~~Land Acquisition~~ trust fund used pursuant to
4541 s. 253.03(12), not including administrative costs of the
4542 Department of Environmental Protection previously paid directly
4543 from the Internal Improvement Trust Fund in accordance with
4544 legislative appropriation.

4545 Section 83. For the purpose of incorporating the amendment
4546 made by this act to section 201.15, Florida Statutes, in a
4547 reference thereto, subsection (6) of section 339.2818, Florida
4548 Statutes, is reenacted to read:

4549 339.2818 Small County Outreach Program.—

4550 (6) Funds paid into the State Transportation Trust Fund
4551 pursuant to s. 201.15 for the purposes of the Small County
4552 Outreach Program are hereby annually appropriated for
4553 expenditure to support the Small County Outreach Program.

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4554 Section 84. For the purpose of incorporating the amendment
4555 made by this act to section 201.15, Florida Statutes, in a
4556 reference thereto, subsection (5) of section 339.2819, Florida
4557 Statutes, is reenacted to read:

4558 339.2819 Transportation Regional Incentive Program.—

4559 (5) Funds paid into the State Transportation Trust Fund
4560 pursuant to s. 201.15 for the purposes of the Transportation
4561 Regional Incentive Program are hereby annually appropriated for
4562 expenditure to support that program.

4563 Section 85. For the purpose of incorporating the amendment
4564 made by this act to section 201.15, Florida Statutes, in a
4565 reference thereto, subsection (3) of section 339.61, Florida
4566 Statutes, is reenacted to read:

4567 339.61 Florida Strategic Intermodal System; legislative
4568 findings, declaration, and intent.—

4569 (3) Funds paid into the State Transportation Trust Fund
4570 pursuant to s. 201.15 for the purposes of the Florida Strategic
4571 Intermodal System are hereby annually appropriated for
4572 expenditure to support that program.

4573 Section 86. For the purpose of incorporating the amendment
4574 made by this act to section 201.15, Florida Statutes, in a
4575 reference thereto, subsection (6) of section 341.051, Florida
4576 Statutes, is reenacted to read:

4577 341.051 Administration and financing of public transit and
4578 intercity bus service programs and projects.—

4579 (6) ANNUAL APPROPRIATION.—Funds paid into the State
4580 Transportation Trust Fund pursuant to s. 201.15 for the New
4581 Starts Transit Program are hereby annually appropriated for
4582 expenditure to support the New Starts Transit Program.

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4583

4584 For purposes of this section, the term "net operating costs"
4585 means all operating costs of a project less any federal funds,
4586 fares, or other sources of income to the project.

4587 Section 87. For the purpose of incorporating the amendment
4588 made by this act to section 201.15, Florida Statutes, in a
4589 reference thereto, subsection (1) of section 420.9079, Florida
4590 Statutes, is reenacted to read:

4591 420.9079 Local Government Housing Trust Fund.—

4592 (1) There is created in the State Treasury the Local
4593 Government Housing Trust Fund, which shall be administered by
4594 the corporation on behalf of the department according to the
4595 provisions of ss. 420.907-420.9076 and this section. There shall
4596 be deposited into the fund a portion of the documentary stamp
4597 tax revenues as provided in s. 201.15, moneys received from any
4598 other source for the purposes of ss. 420.907-420.9076 and this
4599 section, and all proceeds derived from the investment of such
4600 moneys. Moneys in the fund that are not currently needed for the
4601 purposes of the programs administered pursuant to ss. 420.907-
4602 420.9076 and this section shall be deposited to the credit of
4603 the fund and may be invested as provided by law. The interest
4604 received on any such investment shall be credited to the fund.

4605 Section 88. For the purpose of incorporating the amendment
4606 made by this act to section 376.307, Florida Statutes, in a
4607 reference thereto, subsection (2) of section 287.0595, Florida
4608 Statutes, is reenacted to read:

4609 287.0595 Pollution response action contracts; department
4610 rules.—

4611 (2) In adopting rules under this section, the Department of

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4612 Environmental Protection shall follow the criteria applicable to
4613 the department's contracting to the maximum extent possible,
4614 consistent with the goals and purposes of ss. 376.307 and
4615 376.3071.

4616 Section 89. If any law amended by this act was also amended
4617 by a law enacted during the 2015 Regular Session of the
4618 Legislature, such law shall be construed as if enacted during
4619 the same session of the Legislature, and full effect shall be
4620 given to each if possible.

4621 Section 90. Except as otherwise expressly provided in this
4622 act and except for this section, which shall take effect upon
4623 this act becoming a law, this act shall take effect July 1,
4624 2015, except that if an earlier effective date is specified
4625 herein for any section, that section shall operate retroactively
4626 to that date. If this act fails to become a law until after July
4627 1, 2015, it shall take effect upon becoming a law and operate
4628 retroactively to July 1, 2015, except that if an earlier
4629 effective date is specified herein for any section, that section
4630 shall take effect upon becoming a law and operate retroactively
4631 to that date.