



267346

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2015	.	
	.	
	.	
	.	

The Committee on Appropriations (Hays) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

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

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



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

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

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

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

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

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

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

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



267346

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

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

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

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

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

57 (3)

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

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

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

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



267346

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

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

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

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

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



267346

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

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

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

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

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



267346

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

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

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



267346

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



267346

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

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

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

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



267346

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

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

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

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

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



267346

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

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

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

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

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

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



267346

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

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

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

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

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

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

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

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

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



267346

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

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

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

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

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



267346

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

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



267346

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

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

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

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

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

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



267346

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

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

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

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

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

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



267346

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

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

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

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



267346

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

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

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

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

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

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

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

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

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



267346

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

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

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

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

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

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

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

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

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

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



267346

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

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

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

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

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

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

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

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



267346

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

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



267346

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

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

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

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

584 215.619 Bonds for Everglades restoration.—

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



267346

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

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

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

602 253.027 Emergency archaeological property acquisition.—

603 (5) ACCOUNT EXPENDITURES.—

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

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

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

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

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

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



267346

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

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

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

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

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



267346

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

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



267346

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

685 (b) The remainder shall be distributed as set forth in s.
686 895.09.

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

690 253.034 State-owned lands; uses.—

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

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



267346

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

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

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

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



267346

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

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

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

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

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

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

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



267346

- 765 lands;
- 766 (b) Compatible with the natural ecosystem and resource
767 values of such lands;
- 768 (c) The proposed use is appropriately located on such lands
769 and where due consideration is given to the use of other
770 available lands;
- 771 (d) The using entity reasonably compensates the titleholder
772 for such use based upon an appropriate measure of value; and
- 773 (e) The use is consistent with the public interest.

774

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

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



267346

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

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

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

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

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

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

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

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

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



267346

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



267346

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

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

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

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

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



267346

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

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

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

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

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

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



267346

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



267346

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

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

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

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



267346

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

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

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

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



267346

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

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

1004 1. The management goals for the property;

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

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

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

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

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

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

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

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



267346

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

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

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



267346

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

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

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



267346

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

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

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



267346

1113 management plans overdue.

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

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

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

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

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

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

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

1141 6. A cost estimate for conducting other management



267346

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

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

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

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

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

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

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



267346

1171 subject to termination by the board of trustees.

1172

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

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

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



267346

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

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



267346

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

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

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



267346

1258 invasive species on public lands.

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

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

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

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

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

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



267346

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

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

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

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

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



267346

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

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

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

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

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

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



267346

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

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

1354 259.035 Acquisition and Restoration Council.—

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

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

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



267346

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

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

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



267346

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

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

1412 259.036 Management review teams.—

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

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

1424 259.037 Land Management Uniform Accounting Council.—

1425 (3)

1426 (b) Each reporting agency shall also:

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

1431 2. List the acres of land requiring minimal management



267346

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

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

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

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

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

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

1456 259.04 Board; powers and duties.—

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

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



267346

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

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

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

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

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

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



267346

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

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

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

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

1514

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



267346

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

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



267346

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

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

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

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

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

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



267346

1577 to read:

1578 259.101 Florida Preservation 2000 Act.—

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

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

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

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

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

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



267346

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

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

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

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



267346

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



267346

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

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



267346

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

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

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

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

1709
1710 ~~Local governments may use federal grants or loans, private~~
1711 ~~donations, or environmental mitigation funds, including~~
1712 ~~environmental mitigation funds required pursuant to s. 338.250,~~
1713 ~~for any part or all of any local match required for the purposes~~
1714 ~~described in this subsection. Bond proceeds allocated pursuant~~
1715 ~~to paragraph (c) may be used to purchase lands on the priority~~
1716 ~~lists developed pursuant to s. 259.035. Title to lands purchased~~
1717 ~~pursuant to former paragraphs (a), (d), (e), (f), or ~~and~~ (g) of~~
1718 ~~this subsection, Florida Statutes 2014, shall be vested in the~~
1719 ~~Board of Trustees of the Internal Improvement Trust Fund. Title~~
1720 ~~to lands purchased pursuant to former paragraph (c) of this~~
1721 ~~subsection, Florida Statutes 2014, may be vested in the Board of~~



267346

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

1730 ~~(4) PROJECT CRITERIA.—~~

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

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

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

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

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



267346

1751 ~~value or less;~~

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

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

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

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

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

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



267346

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



267346

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

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

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



267346

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

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

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

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



267346

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

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

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

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



267346

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

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

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

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

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



267346

1925 achieve the following public policy goals:

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

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

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

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

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



267346

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

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

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



267346

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

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

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

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

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

2011 259.105 The Florida Forever Act.—



267346

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

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

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

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

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

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

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



267346

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

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

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

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



267346

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

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

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

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



267346

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

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



267346

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

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

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

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



267346

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

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

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



267346

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

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

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

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



267346

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

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

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

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

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

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



267346

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

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

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

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



267346

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



267346

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

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

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

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



267346

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

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

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

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



267346

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

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

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

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

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

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

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



267346

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

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

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



267346

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

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

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

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

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

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



267346

- 2447 1. The number of acres acquired through the state's land
2448 acquisition programs that contribute to the enhancement of
2449 essential natural resources, ecosystem service parcels, and
2450 connecting linkage corridors as identified and developed by the
2451 best available scientific analysis;
- 2452 2. The number of acres protected through the use of
2453 alternatives to fee simple acquisition; or
- 2454 3. The number of shared acquisition projects among Florida
2455 Forever funding partners and partners with other funding
2456 sources, including local governments and the Federal Government.
- 2457 (b) Increase the protection of Florida's biodiversity at
2458 the species, natural community, and landscape levels, as
2459 measured by:
- 2460 1. The number of acres acquired of significant strategic
2461 habitat conservation areas;
- 2462 2. The number of acres acquired of highest priority
2463 conservation areas for Florida's rarest species;
- 2464 3. The number of acres acquired of significant landscapes,
2465 landscape linkages, and conservation corridors, giving priority
2466 to completing linkages;
- 2467 4. The number of acres acquired of underrepresented native
2468 ecosystems;
- 2469 5. The number of landscape-sized protection areas of at
2470 least 50,000 acres that exhibit a mosaic of predominantly intact
2471 or restorable natural communities established through new
2472 acquisition projects or augmentations to previous projects; or
- 2473 6. The percentage increase in the number of occurrences of
2474 imperiled species on publicly managed conservation areas.
- 2475 (c) Protect, restore, and maintain the quality and natural



267346

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

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

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

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

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

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

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

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



267346

- 2505 8. The number of acres of functional wetland systems
2506 protected;
- 2507 9. The percentage of miles of critically eroding beaches
2508 contiguous with public lands that are restored or protected from
2509 further erosion;
- 2510 10. The percentage of public lakes and rivers in which
2511 invasive, nonnative aquatic plants are under maintenance
2512 control; or
- 2513 11. The number of acres of public conservation lands in
2514 which upland invasive, exotic plants are under maintenance
2515 control.
- 2516 (d) Ensure that sufficient quantities of water are
2517 available to meet the current and future needs of natural
2518 systems and the citizens of the state, as measured by:
- 2519 1. The number of acres acquired which provide retention and
2520 storage of surface water in naturally occurring storage areas,
2521 such as lakes and wetlands, consistent with the maintenance of
2522 water resources or water supplies and consistent with district
2523 water supply plans;
- 2524 2. The quantity of water made available through the water
2525 resource development component of a district water supply plan
2526 for which a water management district is responsible; or
- 2527 3. The number of acres acquired of groundwater recharge
2528 areas critical to springs, sinks, aquifers, other natural
2529 systems, or water supply.
- 2530 (e) Increase natural resource-based public recreational and
2531 educational opportunities, as measured by:
- 2532 1. The number of acres acquired that are available for
2533 natural resource-based public recreation or education;



267346

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

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

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

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

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

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

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

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

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

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

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

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



267346

2563 or

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

2566

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

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

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

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

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



267346

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

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

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

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

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



267346

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

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

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

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

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

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

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



267346

2650 (d) The project has significant archaeological or historic
2651 value.

2652 (e) The project has funding sources that are identified and
2653 assured through at least the first 2 years of the project.

2654 (f) The project contributes to the solution of water
2655 resource problems on a regional basis.

2656 (g) The project has a significant portion of its land area
2657 in imminent danger of development, in imminent danger of losing
2658 its significant natural attributes or recreational open space,
2659 or in imminent danger of subdivision which would result in
2660 multiple ownership and make acquisition of the project costly or
2661 less likely to be accomplished.

2662 (h) The project implements an element from a plan developed
2663 by an ecosystem management team.

2664 (i) The project is one of the components of the Everglades
2665 restoration effort.

2666 (j) The project may be purchased at 80 percent of appraised
2667 value.

2668 (k) The project may be acquired, in whole or in part, using
2669 alternatives to fee simple, including but not limited to, tax
2670 incentives, mitigation funds, or other revenues; the purchase of
2671 development rights, hunting rights, agricultural or
2672 silvicultural rights, or mineral rights; or obtaining
2673 conservation easements or flowage easements.

2674 (l) The project is a joint acquisition, either among public
2675 agencies, nonprofit organizations, or private entities, or by a
2676 public-private partnership.

2677 (10)~~(11)~~ The Acquisition and Restoration Council shall give
2678 increased priority to those projects for which matching funds



267346

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

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

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

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

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

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

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



267346

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

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

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

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

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

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



267346

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

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

2743 (a) The stated purpose for inclusion.

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

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

2747 (d) Specific performance measures.

2748 (e) Plans for public access.

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

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

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

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

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

2762 (k) A map delineating project boundaries.

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



267346

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

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

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

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



267346

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

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

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

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

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

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

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



267346

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

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

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

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



267346

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

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

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



267346

2882 become effective.

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

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

2903 259.1051 Florida Forever Trust Fund.—

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



267346

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

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

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

2938 338.250 Central Florida Beltway Mitigation.—

2939 (2) Environmental mitigation required as a result of



267346

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

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



267346

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

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

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

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

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

2989 339.55 State-funded infrastructure bank.—

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

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

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



267346

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



267346

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

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

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

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

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

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

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

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



267346

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

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

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

3075 (8)

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

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



267346

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

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

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

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

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



267346

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

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

3128 373.1391 Management of real property.—

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

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

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

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



267346

3143 available lands;

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

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

3147

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

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

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

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

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

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

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



267346

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

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

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

3182 373.430 Prohibitions, violation, penalty, intent.—

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



267346

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

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

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

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

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

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

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



267346

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

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

3235 373.4592 Everglades improvement and management.—

3236 (3) EVERGLADES LONG-TERM PLAN.—

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



267346

3259 Section 42. Subsection (4) of section 373.45926, Florida
3260 Statutes, is amended to read:
3261 373.45926 Everglades Trust Fund; allocation of revenues and
3262 expenditure of funds for conservation and protection of natural
3263 resources and abatement of water pollution.—
3264 (4) The following funds shall be deposited into the
3265 Everglades Trust Fund specifically for the implementation of the
3266 Everglades Forever Act.
3267 (a) Alligator Alley toll revenues pursuant to s. 338.26(3).
3268 (b) Everglades agricultural privilege tax revenues pursuant
3269 to s. 373.4592(6).
3270 (c) C-139 agricultural privilege tax revenues pursuant to
3271 s. 373.4592(7).
3272 (d) Special assessment revenues pursuant to s. 373.4592(8).
3273 (e) Ad valorem revenues pursuant to s. 373.4592(4)(a).
3274 (f) Federal funds appropriated by the United States
3275 Congress for any component of the Everglades Construction
3276 Project.
3277 ~~(g) Preservation 2000 funds for acquisition of lands~~
3278 ~~necessary for implementation of the Everglades Forever Act as~~
3279 ~~prescribed in an annual appropriation.~~
3280 (g)~~(h)~~ Any additional funds specifically appropriated by
3281 the Legislature for this purpose.
3282 (h)~~(i)~~ Gifts designated for implementation of the
3283 Everglades Forever Act from individuals, corporations, and other
3284 entities.
3285 (i)~~(j)~~ Any additional funds that become available for this
3286 purpose from any other source.
3287 Section 43. Paragraph (a) of subsection (6) and paragraph



267346

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

3290 373.470 Everglades restoration.—

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

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

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

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

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



267346

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

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

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

3326

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

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

3333 373.584 Revenue bonds.—

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



267346

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

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

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

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



267346

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

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



267346

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

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

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



267346

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

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

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

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



267346

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

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

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

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

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



267346

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

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

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

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

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

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

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

3519



267346

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

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

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

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



267346

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

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

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

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



267346

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

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

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

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

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

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

3604

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

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



267346

3607 to read:

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

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

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

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



267346

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

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

3644 375.031 Acquisition of land; procedures.—

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

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



267346

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



267346

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

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

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



267346

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

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

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

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

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



267346

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

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

3756 375.044 Land Acquisition Trust Fund budget request.—

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

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

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

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

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

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

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

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

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



267346

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

3791 (2)

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

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

3800 376.11 Florida Coastal Protection Trust Fund.—

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

3809 (2) The Florida Coastal Protection Trust Fund is



267346

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

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

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

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

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

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

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

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

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

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



267346

3839 376.011-376.21.

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

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

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

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

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

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

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



267346

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

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

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

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

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

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

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

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



267346

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

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

3912 376.307 Water Quality Assurance Trust Fund.—

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

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

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

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



267346

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

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

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

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

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

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

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

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

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



267346

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

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

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

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

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

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

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

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

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



267346

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

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

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

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

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

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

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

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



267346

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

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

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

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

4029 379.206 Grants and Donations Trust Fund.—

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

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

4040 379.212 Land Acquisition Trust Fund.—

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



267346

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

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

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

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

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



267346

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

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

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

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

4090 379.214 Invasive Plant Control Trust Fund.—

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

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

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

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



267346

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

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

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

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

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

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

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

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

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



267346

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

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

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

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

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

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



267346

4158 following guidelines:

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

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

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



267346

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

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

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

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



267346

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



267346

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

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

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

4268 380.510 Conditions of grants and loans.—

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

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



267346

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

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

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

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



267346

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

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

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



267346

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

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

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

4342 403.0615 Water resources restoration and preservation.—

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

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

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



267346

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

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

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

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

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

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

4385 403.885 Water Projects Grant Program.—

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



267346

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

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

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

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

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

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

4410 (b) ~~(a)~~ Conservation and recreation lands under chapter 259;

4411 (c) ~~(b)~~ State and national parks;

4412 (d) ~~(c)~~ State and national reserves and preserves, except as
4413 provided in s. 403.9326(3);

4414 (e) ~~(d)~~ State and national wilderness areas;

4415 (f) ~~(e)~~ National wildlife refuges (only those lands under
4416 Federal Government ownership);

4417 (g) ~~(f)~~ Lands acquired through the former Water Management
4418 Lands Trust Fund, Save Our Rivers Program;



267346

4419 (h)~~(g)~~ Lands acquired under the Save Our Coast program;
4420 (i)~~(h)~~ Lands acquired under the environmentally endangered
4421 lands bond program;

4422 (j)~~(i)~~ Public lands designated as conservation or
4423 preservation under a local government comprehensive plan;

4424 (k)~~(j)~~ Lands purchased by a water management district, the
4425 Fish and Wildlife Conservation Commission, or any other state
4426 agency for conservation or preservation purposes;

4427 (l)~~(k)~~ Public lands encumbered by a conservation easement
4428 that does not provide for the trimming of mangroves; and

4429 (m)~~(l)~~ Public lands designated as critical wildlife areas
4430 by the Fish and Wildlife Conservation Commission.

4431 Section 76. Paragraph (f) of subsection (3) and subsection
4432 (11) of section 403.93345, Florida Statutes, are amended to
4433 read:

4434 403.93345 Coral reef protection.—

4435 (3) As used in this section, the term:

4436 (f) "Fund" means the Water Quality Assurance Ecosystem
4437 ~~Management and Restoration~~ Trust Fund.

4438 (11) All damages recovered by or on behalf of this state
4439 for injury to, or destruction of, the coral reefs of the state
4440 that would otherwise be deposited in the general revenue
4441 accounts of the State Treasury or in the Internal Improvement
4442 Trust Fund shall be deposited into ~~in~~ the Water Quality
4443 Assurance Ecosystem Management and Restoration Trust Fund in the
4444 department and shall remain in such account until expended by
4445 the department for the purposes of this section. Moneys in the
4446 fund received from damages recovered for injury to, or
4447 destruction of, coral reefs must be expended only for the



267346

4448 following purposes:

4449 (a) To provide funds to the department for reasonable costs
4450 incurred in obtaining payment of the damages for injury to, or
4451 destruction of, coral reefs, including administrative costs and
4452 costs of experts and consultants. Such funds may be provided in
4453 advance of recovery of damages.

4454 (b) To pay for restoration or rehabilitation of the injured
4455 or destroyed coral reefs or other natural resources by a state
4456 agency or through a contract to any qualified person.

4457 (c) To pay for alternative projects selected by the
4458 department. Any such project shall be selected on the basis of
4459 its anticipated benefits to the residents of this state who used
4460 the injured or destroyed coral reefs or other natural resources
4461 or will benefit from the alternative project.

4462 (d) All claims for trust fund reimbursements under
4463 paragraph (a) must be made within 90 days after payment of
4464 damages is made to the state.

4465 (e) Each private recipient of fund disbursements shall be
4466 required to agree in advance that its accounts and records of
4467 expenditures of such moneys are subject to audit at any time by
4468 appropriate state officials and to submit a final written report
4469 describing such expenditures within 90 days after the funds have
4470 been expended.

4471 (f) When payments are made to a state agency from the fund
4472 for expenses compensable under this subsection, such
4473 expenditures shall be considered as being for extraordinary
4474 expenses, and no agency appropriation shall be reduced by any
4475 amount as a result of such reimbursement.

4476 Section 77. Subsections (5) and (6) of section 420.5092,



267346

4477 Florida Statutes, are amended to read:

4478 420.5092 Florida Affordable Housing Guarantee Program.—

4479 (5) Pursuant to s. 16, Art. VII of the State Constitution,
4480 the corporation may issue, in accordance with s. 420.509,
4481 revenue bonds of the corporation to establish the guarantee
4482 fund. The ~~Such~~ revenue bonds are ~~shall be~~ primarily payable from
4483 and secured by annual debt service reserves, from interest
4484 earned on funds on deposit in the guarantee fund, from fees,
4485 charges, and reimbursements established by the corporation for
4486 the issuance of affordable housing guarantees, and from any
4487 other revenue sources received by the corporation and deposited
4488 by the corporation into the guarantee fund for the issuance of
4489 affordable housing guarantees. If ~~To the extent~~ such primary
4490 revenue sources are considered insufficient by the corporation,
4491 pursuant to the certification provided in subsection (6), to
4492 fully fund the annual debt service reserve, the certified
4493 deficiency in such reserve is also ~~shall be~~ additionally payable
4494 from the first proceeds of the documentary stamp tax moneys
4495 deposited into the State Housing Trust Fund pursuant to s.
4496 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and (10)(a)~~ during the
4497 ensuing state fiscal year.

4498 (6) (a) If the primary revenue sources to be used for
4499 repayment of revenue bonds used to establish the guarantee fund
4500 are insufficient for such repayment, the annual principal and
4501 interest due on each series of revenue bonds is ~~shall be~~ payable
4502 from funds in the annual debt service reserve. The corporation
4503 shall, before June 1 of each year, perform a financial audit to
4504 determine whether at the end of the state fiscal year there will
4505 be on deposit in the guarantee fund an annual debt service



267346

4506 reserve from interest earned pursuant to the investment of the
4507 guarantee fund, fees, charges, and reimbursements received from
4508 issued affordable housing guarantees and other revenue sources
4509 available to the corporation. Based upon the findings in such
4510 guarantee fund financial audit, the corporation shall certify to
4511 the Chief Financial Officer the amount of any projected
4512 deficiency in the annual debt service reserve for any series of
4513 outstanding bonds as of the end of the state fiscal year and the
4514 amount necessary to maintain such annual debt service reserve.
4515 Upon receipt of such certification, the Chief Financial Officer
4516 shall transfer to the annual debt service reserve, from the
4517 first available taxes distributed to the State Housing Trust
4518 Fund pursuant to s. 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and~~
4519 ~~(10)(a)~~ during the ensuing state fiscal year, the amount
4520 certified as necessary to maintain the annual debt service
4521 reserve.

4522 (b) If the claims payment obligations under affordable
4523 housing guarantees from amounts on deposit in the guarantee fund
4524 would cause the claims paying rating assigned to the guarantee
4525 fund to be less than the third-highest rating classification of
4526 any nationally recognized rating service, which classifications
4527 being consistent with s. 215.84(3) and rules adopted thereto by
4528 the State Board of Administration, the corporation shall certify
4529 to the Chief Financial Officer the amount of such claims payment
4530 obligations. Upon receipt of such certification, the Chief
4531 Financial Officer shall transfer to the guarantee fund, from the
4532 first available taxes distributed to the State Housing Trust
4533 Fund pursuant to s. 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and~~
4534 ~~(10)(a)~~ during the ensuing state fiscal year, the amount



267346

4535 certified as necessary to meet such obligations, such transfer
4536 to be subordinate to any transfer referenced in paragraph (a)
4537 and not to exceed 50 percent of the amounts distributed to the
4538 State Housing Trust Fund pursuant to s. 201.15(4)(c) and (d) ~~s.~~
4539 ~~201.15(9)(a) and (10)(a)~~ during the preceding state fiscal year.

4540 Section 78. Subsections (1), (2), and (3) of section
4541 420.9073, Florida Statutes, are amended to read:

4542 420.9073 Local housing distributions.—

4543 (1) Distributions calculated in this section shall be
4544 disbursed on a quarterly or more frequent basis by the
4545 corporation pursuant to s. 420.9072, subject to availability of
4546 funds. Each county's share of the funds to be distributed from
4547 the portion of the funds in the Local Government Housing Trust
4548 Fund received pursuant to s. 201.15(4)(c) ~~s. 201.15(9)~~ shall be
4549 calculated by the corporation for each fiscal year as follows:

4550 (a) Each county other than a county that has implemented
4551 ~~the provisions of~~ chapter 83-220, Laws of Florida, as amended by
4552 chapters 84-270, 86-152, and 89-252, Laws of Florida, shall
4553 receive the guaranteed amount for each fiscal year.

4554 (b) Each county other than a county that has implemented
4555 ~~the provisions of~~ chapter 83-220, Laws of Florida, as amended by
4556 chapters 84-270, 86-152, and 89-252, Laws of Florida, may
4557 receive an additional share calculated as follows:

4558 1. Multiply each county's percentage of the total state
4559 population excluding the population of any county that has
4560 implemented ~~the provisions of~~ chapter 83-220, Laws of Florida,
4561 as amended by chapters 84-270, 86-152, and 89-252, Laws of
4562 Florida, by the total funds to be distributed.

4563 2. If the result in subparagraph 1. is less than the



267346

4564 guaranteed amount as determined in subsection (3), that county's
4565 additional share shall be zero.

4566 3. For each county in which the result in subparagraph 1.
4567 is greater than the guaranteed amount as determined in
4568 subsection (3), the amount calculated in subparagraph 1. shall
4569 be reduced by the guaranteed amount. The result for each such
4570 county shall be expressed as a percentage of the amounts so
4571 determined for all counties. Each such county shall receive an
4572 additional share equal to such percentage multiplied by the
4573 total funds received by the Local Government Housing Trust Fund
4574 pursuant to s. 201.15(4)(c) ~~s. 201.15(9)~~ reduced by the
4575 guaranteed amount paid to all counties.

4576 (2) Distributions calculated in this section shall be
4577 disbursed on a quarterly or more frequent basis by the
4578 corporation pursuant to s. 420.9072, subject to availability of
4579 funds. Each county's share of the funds to be distributed from
4580 the portion of the funds in the Local Government Housing Trust
4581 Fund received pursuant to s. 201.15(4)(d) ~~s. 201.15(10)~~ shall be
4582 calculated by the corporation for each fiscal year as follows:

4583 (a) Each county shall receive the guaranteed amount for
4584 each fiscal year.

4585 (b) Each county may receive an additional share calculated
4586 as follows:

4587 1. Multiply each county's percentage of the total state
4588 population, by the total funds to be distributed.

4589 2. If the result in subparagraph 1. is less than the
4590 guaranteed amount as determined in subsection (3), that county's
4591 additional share shall be zero.

4592 3. For each county in which the result in subparagraph 1.



267346

4593 is greater than the guaranteed amount, the amount calculated in
4594 subparagraph 1. shall be reduced by the guaranteed amount. The
4595 result for each such county shall be expressed as a percentage
4596 of the amounts so determined for all counties. Each such county
4597 shall receive an additional share equal to this percentage
4598 multiplied by the total funds received by the Local Government
4599 Housing Trust Fund pursuant to s. 201.15(4) (d) ~~s. 201.15(10)~~ as
4600 reduced by the guaranteed amount paid to all counties.

4601 (3) Calculation of guaranteed amounts:

4602 (a) The guaranteed amount under subsection (1) shall be
4603 calculated for each state fiscal year by multiplying \$350,000 by
4604 a fraction, the numerator of which is the amount of funds
4605 distributed to the Local Government Housing Trust Fund pursuant
4606 to s. 201.15(4) (c) ~~s. 201.15(9)~~ and the denominator of which is
4607 the total amount of funds distributed to the Local Government
4608 Housing Trust Fund pursuant to s. 201.15.

4609 (b) The guaranteed amount under subsection (2) shall be
4610 calculated for each state fiscal year by multiplying \$350,000 by
4611 a fraction, the numerator of which is the amount of funds
4612 distributed to the Local Government Housing Trust Fund pursuant
4613 to s. 201.15(4) (d) ~~s. 201.15(10)~~ and the denominator of which is
4614 the total amount of funds distributed to the Local Government
4615 Housing Trust Fund pursuant to s. 201.15.

4616 Section 79. Section 570.207, Florida Statutes, is repealed.

4617 Section 80. Subsection (2) of section 570.321, Florida
4618 Statutes, is amended to read:

4619 570.321 Plant Industry Trust Fund.—

4620 (2) Funds to be credited to and uses of the trust fund
4621 shall be administered in accordance with ss. ~~259.032~~, 581.031,



267346

4622 581.141, 581.211, 581.212, 586.045, 586.15, 586.16, 593.114, and
4623 593.117.

4624 Section 81. Subsection (12) of section 570.71, Florida
4625 Statutes, is amended to read:

4626 570.71 Conservation easements and agreements.—

4627 (12) The department may use appropriated funds from the
4628 following sources to implement this section:

4629 (a) State funds;

4630 (b) Federal funds;

4631 (c) Other governmental entities;

4632 (d) Nongovernmental organizations; or

4633 (e) Private individuals.

4634

4635 Any such funds provided, other than from the Land Acquisition
4636 Trust Fund, shall be deposited into the Incidental Conservation
4637 and Recreation Lands Program Trust Fund within the Department of
4638 Agriculture and Consumer Services and used for the purposes of
4639 this section, including administrative and operating expenses
4640 related to appraisals, mapping, title process, personnel, and
4641 other real estate expenses.

4642 Section 82. Paragraph (c) of subsection (1) of section
4643 895.09, Florida Statutes, is amended to read:

4644 895.09 Disposition of funds obtained through forfeiture
4645 proceedings.—

4646 (1) A court entering a judgment of forfeiture in a
4647 proceeding brought pursuant to s. 895.05 shall retain
4648 jurisdiction to direct the distribution of any cash or of any
4649 cash proceeds realized from the forfeiture and disposition of
4650 the property. The court shall direct the distribution of the



267346

4651 funds in the following order of priority:

4652 (c) Any claim by the Board of Trustees of the Internal
4653 Improvement Trust Fund on behalf of the Internal Improvement
4654 Trust Fund or the ~~Land Acquisition~~ trust fund used pursuant to
4655 s. 253.03(12), not including administrative costs of the
4656 Department of Environmental Protection previously paid directly
4657 from the Internal Improvement Trust Fund in accordance with
4658 legislative appropriation.

4659 Section 83. For the purpose of incorporating the amendment
4660 made by this act to section 201.15, Florida Statutes, in a
4661 reference thereto, subsection (6) of section 339.2818, Florida
4662 Statutes, is reenacted to read:

4663 339.2818 Small County Outreach Program.—

4664 (6) Funds paid into the State Transportation Trust Fund
4665 pursuant to s. 201.15 for the purposes of the Small County
4666 Outreach Program are hereby annually appropriated for
4667 expenditure to support the Small County Outreach Program.

4668 Section 84. For the purpose of incorporating the amendment
4669 made by this act to section 201.15, Florida Statutes, in a
4670 reference thereto, subsection (5) of section 339.2819, Florida
4671 Statutes, is reenacted to read:

4672 339.2819 Transportation Regional Incentive Program.—

4673 (5) Funds paid into the State Transportation Trust Fund
4674 pursuant to s. 201.15 for the purposes of the Transportation
4675 Regional Incentive Program are hereby annually appropriated for
4676 expenditure to support that program.

4677 Section 85. For the purpose of incorporating the amendment
4678 made by this act to section 201.15, Florida Statutes, in a
4679 reference thereto, subsection (3) of section 339.61, Florida



267346

4680 Statutes, is reenacted to read:

4681 339.61 Florida Strategic Intermodal System; legislative
4682 findings, declaration, and intent.—

4683 (3) Funds paid into the State Transportation Trust Fund
4684 pursuant to s. 201.15 for the purposes of the Florida Strategic
4685 Intermodal System are hereby annually appropriated for
4686 expenditure to support that program.

4687 Section 86. For the purpose of incorporating the amendment
4688 made by this act to section 201.15, Florida Statutes, in a
4689 reference thereto, subsection (6) of section 341.051, Florida
4690 Statutes, is reenacted to read:

4691 341.051 Administration and financing of public transit and
4692 intercity bus service programs and projects.—

4693 (6) ANNUAL APPROPRIATION.—Funds paid into the State
4694 Transportation Trust Fund pursuant to s. 201.15 for the New
4695 Starts Transit Program are hereby annually appropriated for
4696 expenditure to support the New Starts Transit Program.

4697
4698 For purposes of this section, the term “net operating costs”
4699 means all operating costs of a project less any federal funds,
4700 fares, or other sources of income to the project.

4701 Section 87. For the purpose of incorporating the amendment
4702 made by this act to section 201.15, Florida Statutes, in a
4703 reference thereto, paragraph (e) of subsection (4) of section
4704 373.470, Florida Statutes, is reenacted to read:

4705 373.470 Everglades restoration.—

4706 (4) SAVE OUR EVERGLADES TRUST FUND; FUNDS AUTHORIZED FOR
4707 DEPOSIT.—The following funds may be deposited into the Save Our
4708 Everglades Trust Fund created by s. 373.472 to finance



267346

4709 implementation of the comprehensive plan, the Lake Okeechobee
4710 Watershed Protection Plan, the River Watershed Protection Plans,
4711 and the Keys Wastewater Plan:

4712 (e) Funds made available pursuant to s. 201.15 for debt
4713 service for Everglades restoration bonds.

4714 Section 88. For the purpose of incorporating the amendment
4715 made by this act to section 201.15, Florida Statutes, in a
4716 reference thereto, subsection (1) of section 420.9079, Florida
4717 Statutes, is reenacted to read:

4718 420.9079 Local Government Housing Trust Fund.—

4719 (1) There is created in the State Treasury the Local
4720 Government Housing Trust Fund, which shall be administered by
4721 the corporation on behalf of the department according to the
4722 provisions of ss. 420.907-420.9076 and this section. There shall
4723 be deposited into the fund a portion of the documentary stamp
4724 tax revenues as provided in s. 201.15, moneys received from any
4725 other source for the purposes of ss. 420.907-420.9076 and this
4726 section, and all proceeds derived from the investment of such
4727 moneys. Moneys in the fund that are not currently needed for the
4728 purposes of the programs administered pursuant to ss. 420.907-
4729 420.9076 and this section shall be deposited to the credit of
4730 the fund and may be invested as provided by law. The interest
4731 received on any such investment shall be credited to the fund.

4732 Section 89. For the purpose of incorporating the amendment
4733 made by this act to section 375.041, Florida Statutes, in a
4734 reference thereto, paragraph (b) of subsection (3) of section
4735 258.015, Florida Statutes, is reenacted to read:

4736 258.015 Citizen support organizations; use of property;
4737 audit.—



267346

4738 (3) PARTNERSHIPS IN PARKS.-
4739 (b) The Legislature may annually appropriate funds from the
4740 Land Acquisition Trust Fund for use only as state matching
4741 funds, in conjunction with private donations in aggregates of at
4742 least \$60,000 matched by \$40,000 of state funds for a total
4743 minimum project amount of \$100,000 for capital improvement
4744 facility development at state parks, at either individually
4745 designated parks or for priority projects within the overall
4746 state park system. Not more than 30 percent of the Land
4747 Acquisition Trust Fund unencumbered fund balance or \$3 million,
4748 whichever is less, shall be reserved, available annually for
4749 matching private donations. The amount held in reserve for the
4750 state match will be no greater than \$6 million for any fiscal
4751 year. State funds from the Land Acquisition Trust Fund or other
4752 appropriate funding sources shall be used for matching private
4753 donations for 40 percent of the projects' costs. Funds held in
4754 reserve for the purposes of this subsection shall be available
4755 only after the requirements of s. 375.041(3) are met. Citizen
4756 support organizations organized and operating for the benefit of
4757 state parks may acquire private donations pursuant to this
4758 section, and matching state funds for approved projects may be
4759 provided in accordance with this subsection. The department is
4760 authorized to properly recognize and honor a private donor by
4761 placing a plaque or other appropriate designation noting the
4762 contribution on project facilities or by naming project
4763 facilities after the person or organization that provided
4764 matching funds. The department is authorized to adopt necessary
4765 administrative rules to carry out the purposes of this
4766 subsection.



267346

4767 Section 90. For the purpose of incorporating the amendment
4768 made by this act to section 376.307, Florida Statutes, in a
4769 reference thereto, subsection (2) of section 287.0595, Florida
4770 Statutes, is reenacted to read:

4771 287.0595 Pollution response action contracts; department
4772 rules.-

4773 (2) In adopting rules under this section, the Department of
4774 Environmental Protection shall follow the criteria applicable to
4775 the department's contracting to the maximum extent possible,
4776 consistent with the goals and purposes of ss. 376.307 and
4777 376.3071.

4778 Section 91. Except as otherwise expressly provided in this
4779 act and except for this section, which shall take effect upon
4780 this act becoming law, this act shall take effect July 1, 2015.

4781
4782 ===== T I T L E A M E N D M E N T =====

4783 And the title is amended as follows:

4784 Delete everything before the enacting clause
4785 and insert:

4786 A bill to be entitled
4787 An act relating to the implementation of the water and
4788 land conservation constitutional amendment;
4789 terminating certain trust funds within the Department
4790 of Environmental Protection, the Department of
4791 Agriculture and Consumer Services, and the Fish and
4792 Wildlife Conservation Commission; providing for the
4793 disposition of balances in the trust funds; requiring
4794 the Department of Environmental Protection to pay all
4795 outstanding debts or obligations of the terminated



267346

4796 trust funds; requiring the Chief Financial Officer to
4797 close out and remove the terminated trust funds from
4798 the various state accounting systems; amending s.
4799 17.61, F.S.; requiring moneys in land acquisition
4800 trust funds created or designated to receive funds
4801 under s. 28, Art. X of the State Constitution to be
4802 retained in those trust funds; repealing s. 161.05301,
4803 F.S., relating to beach erosion control project
4804 staffing; amending s. 161.054, F.S.; redirecting
4805 certain proceeds from the Ecosystem Management and
4806 Restoration Trust Fund to the Florida Coastal
4807 Protection Trust Fund; amending s. 161.091, F.S.;
4808 authorizing disbursements from the Land Acquisition
4809 Trust Fund for the beach management plan; amending s.
4810 201.0205, F.S.; conforming provisions to changes made
4811 by the act; amending s. 201.15, F.S.; revising and
4812 deleting distributions of the tax; providing that
4813 specified distributions to the Land Acquisition Trust
4814 Fund are not subject to the service charge under s.
4815 215.20, F.S.; revising the purposes for which
4816 distributions may be used; amending s. 211.3103, F.S.;
4817 authorizing a percentage of proceeds from the
4818 phosphate rock excise tax to be credited to the State
4819 Park Trust Fund; amending s. 215.20, F.S.; conforming
4820 provisions to changes made by the act; amending s.
4821 215.618, F.S.; authorizing Florida Forever bonds to be
4822 issued to finance or refinance the acquisition and
4823 improvement of land, water areas, and related property
4824 interests; amending ss. 215.619, 253.027, and 253.03,



267346

4825 F.S.; conforming provisions to changes made by the
4826 act; amending s. 253.034, F.S.; requiring proceeds
4827 from the sale of surplus conservation lands before a
4828 certain date to be deposited into the Florida Forever
4829 Trust Fund and after such date under certain
4830 circumstances into the Land Acquisition Trust Fund;
4831 prohibiting more than a certain amount of funds to be
4832 expended from the Land Acquisition Trust Fund for
4833 funding a certain contractual arrangement; amending s.
4834 253.7824, F.S.; conforming provisions to changes made
4835 by the act; amending s. 258.435, F.S.; requiring
4836 moneys received in trust by the Department of
4837 Environmental Protection relating to aquatic preserves
4838 to be deposited into the Grants and Donations Trust
4839 Fund; amending s. 259.032, F.S.; conforming provisions
4840 affected by the termination of the Conservation and
4841 Recreation Lands Trust Fund; authorizing state
4842 agencies designated to manage lands acquired with
4843 funds deposited into the Land Acquisition Trust Fund
4844 to contract with local governments and soil and water
4845 conservation districts to assist in management
4846 activities; amending s. 259.035, F.S.; requiring the
4847 Acquisition and Restoration Council to develop rules
4848 defining specific criteria and numeric performance
4849 measures needed for lands acquired with funds
4850 deposited into the Land Acquisition Trust Fund
4851 pursuant to s. 28(a), Art. X of the State
4852 Constitution; requiring the proposed rules to be
4853 submitted to the Legislature for consideration;



267346

4854 requiring recipients of funds from the Land
4855 Acquisition Trust Fund to annually report to the
4856 Division of State Lands; requiring the council to
4857 consider and evaluate in writing each project proposed
4858 for acquisition using such funds and ensure that each
4859 proposed project meets the requirements of s. 28, Art.
4860 X of the State Constitution; amending ss. 259.036,
4861 259.037, 259.04, and 259.041, F.S.; conforming cross-
4862 references; amending s. 259.101, F.S.; conforming
4863 provisions affected by the termination of the
4864 Preservation 2000 Trust Fund; requiring agencies and
4865 water management districts that acquired lands using
4866 Preservation 2000 funds to make them available for
4867 public recreational use; requiring water management
4868 districts and the department to control the growth of
4869 nonnative invasive plant species on certain lands;
4870 amending s. 259.105, F.S.; deleting obsolete
4871 provisions; conforming cross-references; prohibiting
4872 more than a certain amount of funds to be expended
4873 from the Land Acquisition Trust Fund for funding a
4874 certain contractual arrangement; amending s. 259.1051,
4875 F.S.; conforming cross-references; amending ss.
4876 338.250, 339.0801, 339.55, 341.303, 343.58, 369.252,
4877 373.026, and 373.089, F.S.; conforming provisions to
4878 changes made by the act; amending s. 373.129, F.S.;
4879 requiring certain civil penalties to be deposited into
4880 the Water Quality Assurance Trust Fund; amending ss.
4881 373.1391 and 373.199, F.S.; conforming provisions to
4882 changes made by the act; amending s. 373.430, F.S.;



267346

4883 requiring certain moneys to be deposited into the
4884 Florida Permit Fee Trust Fund rather than the
4885 Ecosystem Management and Restoration Trust Fund;
4886 amending ss. 373.459, 373.4592, 373.45926, 373.470,
4887 and 373.584, F.S.; conforming provisions to changes
4888 made by the act; amending s. 373.59, F.S.; conforming
4889 provisions affected by the termination of the Water
4890 Management Lands Trust Fund; amending s. 373.5905,
4891 F.S.; conforming a cross-reference; amending ss.
4892 373.703 and 375.031, F.S.; conforming provisions to
4893 changes made by the act; amending s. 375.041, F.S.;
4894 designating the Land Acquisition Trust Fund within the
4895 Department of Environmental Protection for receipt of
4896 certain documentary stamp tax revenues for the
4897 prescribed uses of s. 28, Art. X of the State
4898 Constitution; providing priority for the use of moneys
4899 in the trust fund; requiring agencies receiving
4900 transfers of moneys from the fund to maintain the
4901 integrity of such funds; amending s. 375.044, F.S.;
4902 conforming provisions to changes made by the act;
4903 repealing s. 375.045, F.S., relating to the Florida
4904 Preservation 2000 Trust Fund; amending s. 375.075,
4905 F.S.; conforming provisions to changes made by the
4906 act; amending s. 376.11, F.S.; revising the funds
4907 required to be deposited into the Florida Coastal
4908 Protection Trust Fund and the purposes for which such
4909 funds may be used; amending s. 376.123, F.S.;
4910 conforming a cross-reference; amending s. 376.307,
4911 F.S.; revising the funds required to be deposited into



267346

4912 the Water Quality Assurance Trust Fund and the
4913 purposes for which such funds may be used; amending s.
4914 376.40, F.S.; conforming a cross-reference; repealing
4915 s. 379.202, F.S., relating to the Conservation and
4916 Recreation Lands Program Trust Fund of the Fish and
4917 Wildlife Conservation Commission; amending s. 379.206,
4918 F.S.; requiring grants and donations from development-
4919 of-regional-impact wildlife mitigation contributions
4920 to be credited to the Grants and Donations Trust Fund;
4921 amending s. 379.212, F.S.; providing that the Land
4922 Acquisition Trust Fund within the Fish and Wildlife
4923 Conservation Commission shall be used to implement s.
4924 28, Art. X of the State Constitution; authorizing the
4925 department to transfer certain funds; requiring the
4926 commission to maintain the integrity of such funds;
4927 providing for the transfer of certain funds; amending
4928 s. 379.214, F.S.; conforming provisions to changes
4929 made by the act; amending s. 379.362, F.S.; requiring
4930 the Department of Agriculture and Consumer Services to
4931 use funds appropriated from the Land Acquisition Fund
4932 within the Department of Environmental Protection to
4933 fund certain oyster management and restoration
4934 programs; amending s. 380.0666, F.S.; conforming
4935 provisions to changes made by the act; repealing s.
4936 380.0677, F.S., relating to the Green Swamp Land
4937 Authority; amending s. 380.507, F.S.; conforming
4938 provisions to changes made by the act; amending s.
4939 380.508, F.S.; requiring certain funds to be credited
4940 to or deposited into the Internal Improvement Trust



267346

4941 Fund; requiring funds over and above eligible project
4942 costs to be deposited into the Florida Forever Trust
4943 Fund rather than the Florida Communities Trust Fund;
4944 amending s. 380.510, F.S.; requiring certain funds
4945 collected under a grant or loan agreement to be
4946 deposited into the Internal Improvement Trust Fund
4947 rather than the Florida Communities Trust Fund;
4948 requiring the deed or lease of any real property
4949 acquired with certain funds to contain covenants and
4950 restrictions sufficient to ensure that the use of such
4951 real property complies with s. 28, Art. X of the State
4952 Constitution; repealing s. 380.511, F.S., relating to
4953 the Florida Communities Trust Fund; amending s.
4954 403.0615, F.S.; conforming provisions to changes made
4955 by the act; amending ss. 403.08601 and 403.121, F.S.;
4956 requiring certain funds to be deposited into the Water
4957 Quality Assurance Trust Fund rather than the Ecosystem
4958 Management and Restoration Trust Fund; repealing s.
4959 403.1651, F.S., relating to the Ecosystem Management
4960 and Restoration Trust Fund; amending s. 403.885, F.S.;
4961 conforming provisions to changes made by the act;
4962 repealing s. 403.8911, F.S., relating to the annual
4963 appropriation from the Water Protection and
4964 Sustainability Program Trust Fund; amending s.
4965 403.9325, F.S.; redefining the term "public lands set
4966 aside for conservation or preservation" to include
4967 lands and interests acquired with funds deposited into
4968 the Land Acquisition Trust Fund; amending s.
4969 403.93345, F.S.; redefining the term "fund" to mean



267346

4970 the Water Quality Assurance Trust Fund; requiring
4971 certain funds to be deposited into the Water Quality
4972 Assurance Trust Fund rather than the Ecosystem
4973 Management and Restoration Trust Fund; amending ss.
4974 420.5092 and 420.9073, F.S.; conforming provisions to
4975 changes made by the act; repealing s. 570.207, F.S.,
4976 relating to the Conservation and Recreation Lands
4977 Program Trust Fund of the Department of Agriculture
4978 and Consumer Services; amending s. 570.321, F.S.;
4979 conforming provisions to changes made by the act;
4980 amending s. 570.71, F.S.; excluding funds from the
4981 Land Acquisition Trust Fund from being deposited into
4982 the Incidental Trust Fund under certain circumstances;
4983 amending s. 895.09, F.S.; conforming provisions to
4984 changes made by the act; making technical changes;
4985 reenacting ss. 339.2818(6), F.S., relating to the
4986 Small County Outreach Program, s. 339.2819(5), F.S.,
4987 relating to the Transportation Regional Incentive
4988 Program, s. 339.61(3), F.S., relating to the Florida
4989 Strategic Intermodal System, s. 341.051(6), F.S.,
4990 relating to the New Starts Transit Program, s.
4991 373.470(4)(e), F.S., relating to debt service for
4992 Everglades restoration bonds, and s. 420.9079(1),
4993 F.S., relating to the Local Government Housing Trust
4994 Fund, to incorporate the amendment made by this act to
4995 s. 201.15, F.S., in references thereto; reenacting s.
4996 258.015(3)(b), F.S., relating to funds available to
4997 citizen support organizations, to incorporate the
4998 amendment made by this act to s. 375.041, F.S., in a



267346

4999 reference thereto; reenacting s. 287.0595(2), F.S.,
5000 relating to Department of Environmental Protection's
5001 authority to adopt certain pollution response rules,
5002 to incorporate the amendment made by this act to s.
5003 376.307, F.S., in a reference thereto; providing
5004 effective dates.