

1 A bill to be entitled
2 An act relating to state lands; amending s. 253.025,
3 F.S.; authorizing the Board of Trustees of the
4 Internal Improvement Trust Fund to waive certain
5 requirements and rules and substitute procedures
6 relating to the acquisition of state lands under
7 certain conditions; providing that title to certain
8 acquired lands are vested in the board; providing for
9 the administration of such lands; authorizing the
10 board to adopt specified rules; revising requirements
11 for the appraisal of lands proposed for acquisition;
12 requiring an agency proposing an acquisition to pay
13 the associated costs; deleting provisions directing
14 the board to approve qualified fee appraisal
15 organizations; requiring fee appraisers to submit
16 certain affidavits to an agency before contracting
17 with a participant in a multiparty agreement;
18 prohibiting fee appraisers from negotiating with
19 property owners; providing for the Minimum Technical
20 Standards for Land Surveying in Florida to be
21 published by the Department of Agriculture and
22 Consumer Services rather than the Department of
23 Business and Professional Regulation; authorizing the
24 disclosure of confidential appraisal reports under
25 certain conditions; providing for public agencies and
26 nonprofit organizations to enter into written

27 | agreements with the Department of Environmental
28 | Protection rather than the Division of State Lands to
29 | purchase and hold property for subsequent resale to
30 | the board rather than the division; revising the
31 | definition of the term "nonprofit organization";
32 | directing the board to adopt by rule the method for
33 | determining the value of parcels sought to be acquired
34 | by state agencies; providing requirements for such
35 | acquisitions; expanding the scope of real estate
36 | acquisition services for which the board and state
37 | agencies may contract; authorizing the Department of
38 | Environmental Protection to use outside counsel to
39 | review any agreements or documents or to perform
40 | acquisition closings under certain conditions;
41 | requiring state agencies to furnish the Department of
42 | Environmental Protection rather than the Division of
43 | State Lands with specified acquisition documents;
44 | providing that the purchase price of certain parcels
45 | is not subject to an increase or decrease as a result
46 | of certain circumstances; authorizing the board of
47 | trustees to direct the Department of Environmental
48 | Protection to exercise eminent domain for the
49 | acquisition of certain conservation parcels under
50 | certain circumstances; authorizing the Department of
51 | Environmental Protection to exercise condemnation
52 | authority directly or by contracting with the

53 Department of Transportation or a water management
54 district to provide such service; authorizing the
55 board to direct the Department of Environmental
56 Protection to purchase lands on an immediate basis
57 using specified funds; authorizing the board of
58 trustees to waive or modify all procedures required
59 for such land acquisition; providing that title to
60 certain lands held jointly by the board and a water
61 management district meet the standards necessary for
62 ownership by the board; defining the term "projects"
63 for purposes of land acquisition; creating s.
64 253.0251, F.S.; providing for the use of alternatives
65 to fee simple acquisition by public land acquisition
66 agencies; amending s. 253.03, F.S.; deleting
67 provisions directing the board to adopt by rule an
68 annual administrative fee for certain leases and
69 similar instruments; revising the criteria by which
70 specified structures have the right to continue
71 submerged land leases; directing the board to adopt by
72 rule an annual administrative fee for certain leases
73 and instruments; authorizing nonwater-dependent uses
74 for submerged lands; amending s. 253.031, F.S.;
75 providing for the Department of Environmental
76 Protection to maintain documents concerning all state
77 lands; deleting an obsolete provision; amending s.
78 253.034, F.S.; authorizing the department to submit

79 certain state-owned lands to the board for
80 consideration; requiring that all nonconservation land
81 use plans are managed to provide the greatest benefit
82 to the state; deleting provisions requiring an
83 analysis of natural or cultural resources as part of a
84 nonconservation land use plan; specifying that certain
85 management and short-term and long-term goals for the
86 conservation of plant and animal species apply to
87 conservation lands; providing conditions under which
88 the Secretary of Environmental Protection,
89 Commissioner of Agriculture, or executive director of
90 the Fish and Wildlife Conservation Commission or their
91 designees are required to submit land management plans
92 to the board; requiring that updated land management
93 plans identify conservation lands that are no longer
94 needed for conservation purposes; deleting provisions
95 directing the board to make certain determinations
96 regarding the surplus and disposition of state lands;
97 deleting provisions requiring that buildings and
98 parcels of land be offered for lease to state
99 agencies, state universities, and Florida College
100 System institutions before being offered for lease or
101 sale to a local or federal unit of government or a
102 private party; amending s. 253.0341, F.S.; deleting
103 provisions requiring that county or local government
104 requests for the state to surplus conservation or

105 nonconservation lands be expedited; directing the
106 board to make certain determinations regarding the
107 surplus and disposition of state lands; providing that
108 lands acquired before a certain date using specified
109 proceeds are deemed to have been acquired for
110 conservation purposes; providing that certain lands
111 used by the Department of Corrections, the Department
112 of Management Services, and the Department of
113 Transportation may not be designated as lands acquired
114 for conservation purposes; requiring updated land
115 management plans to identify conservation lands that
116 are no longer needed and could be disposed of;
117 requiring the Division of State Lands to review state-
118 owned conservation lands and determine if such lands
119 are no longer needed and could be disposed of and to
120 submit a list of such lands to the Acquisition and
121 Restoration Council; requiring the council to provide
122 certain recommendations to the board regarding
123 conservation lands; requiring the division to review
124 certain nonconservation lands and make recommendations
125 to the board as to whether such lands should be
126 retained in public ownership or disposed of; deleting
127 an obsolete provision; requiring that buildings and
128 parcels of land be offered for lease to state
129 agencies, state universities, and Florida College
130 System institutions before being offered for lease or

131 sale to a local or federal unit of government or a
132 private party; providing for the valuation and
133 disposition of surplus lands; providing for the
134 deposit of proceeds from the sale of such lands;
135 authorizing the board to adopt rules; amending s.
136 253.111, F.S.; revising provisions requiring the board
137 to afford an opportunity to local governments to
138 purchase certain lands; amending s. 253.42, F.S.;
139 authorizing individuals or entities to submit requests
140 to the Division of State Lands to exchange state-owned
141 land for privately held land; requiring the state to
142 retain permanent conservation easements over the
143 state-owned land and all or a portion of the privately
144 held land; requiring the division to review requests
145 and provide recommendations to the Acquisition and
146 Restoration Council; providing applicability;
147 directing the board to consider a request if certain
148 conditions are met; providing special consideration
149 for certain requests; providing that such lands are
150 subject to inspection; amending s. 253.782, F.S.;
151 deleting a provision directing the Department of
152 Environmental Protection to retain ownership of and
153 maintain lands or interests in land owned by the
154 board; amending s. 253.7821, F.S.; assigning the Cross
155 Florida Greenways State Recreation and Conservation
156 Area to the Department of Environmental Protection

157 rather than the Office of Greenways Management within
158 the Office of the Secretary; creating s. 253.87, F.S.;
159 directing the Department of Environmental Protection
160 to include certain county, municipal, state, and
161 federal lands in the Florida State-Owned Lands and
162 Records Information System (SOLARIS) database and to
163 update the database at specified intervals; requiring
164 counties, municipalities, and financially
165 disadvantaged small communities to submit a list of
166 certain lands to the department by a specified date
167 and at specified intervals; directing the department
168 to conduct a study and submit a report to the Governor
169 and the Legislature on the technical and economic
170 feasibility of including certain lands in the database
171 or a similar public lands inventory; amending s.
172 259.01, F.S.; renaming the "Land Conservation Act of
173 1972" as the "Land Conservation Program"; repealing s.
174 259.02, F.S., relating to issuance of state bonds for
175 certain land projects; amending s. 259.03, F.S.;
176 revising the definition of the term "water resource
177 development project" to include construction of
178 treatment, transmission, and distribution facilities;
179 amending s. 259.032, F.S.; conforming cross-
180 references; revising provisions relating to the
181 management of conservation and recreation lands to
182 conform with changes made by the act; revising duties

183 of the Acquisition and Restoration Council; amending
184 s. 259.035, F.S.; requiring recipients of funds from
185 the Land Acquisition Trust Fund to annually report
186 certain performance measures to the Department of
187 Environmental Protection rather than the Division of
188 State Lands; amending s. 259.036, F.S.; revising the
189 composition of the regional land management review
190 team; providing for the Department of Environmental
191 Protection rather than the Division of State Lands to
192 act as the review team coordinator; revising
193 requirements for conservation and recreation land
194 management reviews and plans; amending s. 259.037,
195 F.S.; removing the director of the Office of Greenways
196 and Trails from the Land Management Uniform Accounting
197 Council; repealing s. 259.041, F.S., relating to the
198 acquisition of state-owned lands for preservation,
199 conservation, and recreation purposes; amending s.
200 259.047, F.S.; revising provisions relating to the
201 acquisition of land on which an agricultural lease
202 exists to conform with changes made by the act;
203 amending s. 259.101, F.S.; conforming cross-
204 references; revising provisions relating to alternate
205 use of lands acquired under the Florida Preservation
206 2000 Act to conform with changes made by the act;
207 deleting provisions for alternatives to fee simple
208 acquisition of such lands to conform with changes made

209 by the act; amending s. 259.105, F.S.; deleting
 210 provisions requiring the advancement of certain goals
 211 and objectives of imperiled species management on
 212 state lands to conform with changes made by the act;
 213 conforming cross-references; revising provisions
 214 directing the Acquisition and Restoration Council to
 215 give increased priority to certain projects when
 216 developing proposed rules relating to Florida Forever
 217 funding and additions to the Conservation and
 218 Recreation Lands list; deleting provisions requiring
 219 that such rules be submitted to the Legislature for
 220 review; amending s. 259.1052, F.S.; deleting
 221 provisions authorizing the Department of Environmental
 222 Protection to distribute revenues from the Florida
 223 Forever Trust Fund for the acquisition of a portion of
 224 Babcock Crescent B Ranch; amending ss. 73.015,
 225 125.355, 166.045, 215.82, 215.965, 253.027, 253.7824,
 226 260.015, 260.016, 369.317, 373.139, 375.031, 375.041,
 227 380.05, 380.055, 380.508, 589.07, 944.10, 957.04,
 228 985.682, and 1013.14, F.S.; conforming cross-
 229 references; providing an effective date.

230

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

232

233 Section 1. Section 253.025, Florida Statutes, is amended
 234 to read:

235 253.025 Acquisition of state lands ~~for purposes other than~~
 236 ~~preservation, conservation, and recreation.~~—

237 (1) ~~(a) Neither~~ The Board of Trustees of the Internal
 238 Improvement Trust Fund or ~~nor~~ its duly authorized agent may not
 239 ~~shall~~ commit the state, through any instrument of negotiated
 240 contract or agreement for purchase, to the purchase of lands
 241 with or without appurtenances unless ~~the provisions of this~~
 242 section has ~~have~~ been fully complied with.

243 (b) Except for the requirements of subsections (4), (11),
 244 and (22), if the public's interest is reasonably protected, the
 245 board of trustees may:

246 1. Waive any requirements of this section.

247 2. Waive any rules adopted pursuant to this section,
 248 notwithstanding chapter 120.

249 3. Substitute other reasonably prudent procedures.

250 (c) However, The board of trustees may also substitute
 251 federally mandated acquisition procedures for the provisions of
 252 this section if ~~when~~ federal funds are available and will be
 253 used ~~utilized~~ for the purchase of lands, title to which will
 254 vest in the board of trustees, and qualification for such
 255 federal funds requires compliance with federally mandated
 256 acquisition procedures.

257 (d) Notwithstanding ~~any provisions in~~ this section ~~to the~~
 258 ~~contrary,~~ if lands are being acquired by the board of trustees
 259 for the anticipated sale, conveyance, or transfer to the Federal
 260 Government pursuant to a joint state and federal acquisition

261 project, the board of trustees may use appraisals obtained by
 262 the Federal Government in the acquisition of such lands. The
 263 board of trustees may waive any provision of this section when
 264 land is being conveyed from a state agency to the board.

265 (e) The title to lands acquired pursuant to this section
 266 shall vest in the board of trustees pursuant to s. 253.03(1)
 267 unless otherwise provided by law, and all such titled lands
 268 shall be administered pursuant to s. 253.03.

269 (2) Before ~~Prior to~~ any state agency initiates ~~initiating~~
 270 any land acquisition, except for ~~as pertains to~~ the purchase of
 271 property for transportation facilities and transportation
 272 corridors and property for borrow pits for road building
 273 purposes, the agency shall coordinate with the Division of State
 274 Lands to determine the availability of existing, suitable state-
 275 owned lands in the area and the public purpose for which the
 276 acquisition is being proposed. If the state agency determines
 277 that no suitable state-owned lands exist, the state agency may
 278 proceed to acquire such lands by employing all available
 279 statutory authority for acquisition.

280 (3) The board of trustees is authorized to adopt rules to
 281 implement this section, including rules governing the terms and
 282 conditions of land purchases. The rules shall address, with
 283 specificity, but need not be limited to:

284 (a) The procedures to be followed in the acquisition
 285 process, including selection of appraisers, surveyors, title
 286 agents, and closing agents, and the content of appraisal

287 reports.

288 (b) The determination of the value of parcels which the
289 state has an interest in acquiring.

290 (c) Special requirements when multiple landowners are
291 involved in an acquisition.

292 (d) Requirements for obtaining written option agreements
293 so that the interests of the state are fully protected.

294 (4) An agreement to acquire real property for the purposes
295 described in this chapter, chapter 260, or chapter 375, title to
296 which will vest in the board of trustees, may not bind the state
297 before the agreement is reviewed and approved by the Department
298 of Environmental Protection as complying with this section and
299 any rules adopted pursuant to this section. If any of the
300 following conditions exist, the agreement shall be submitted to
301 and approved by the board of trustees:

302 (a) The purchase price agreed to by the seller exceeds the
303 value as established pursuant to the rules of the board of
304 trustees;

305 (b) The contract price agreed to by the seller and the
306 acquiring agency exceeds \$1 million;

307 (c) The acquisition is the initial purchase in a Florida
308 Forever project; or

309 (d) Other conditions that the board of trustees may adopt
310 by rule. Such conditions may include, but are not limited to,
311 Florida Forever projects when title to the property being
312 acquired is considered nonmarketable or is encumbered in such a

313 way as to significantly affect its management.

314

315 If approval of the board of trustees is required pursuant to
 316 this subsection, the acquiring agency must provide a
 317 justification as to why it is in the public's interest to
 318 acquire the parcel or Florida Forever project. Approval of the
 319 board of trustees is also required for Florida Forever projects
 320 the department recommends acquiring pursuant to subsections (11)
 321 and (22). Review and approval of agreements for acquisitions for
 322 Florida Greenways and Trails Program properties pursuant to
 323 chapter 260 may be waived by the department in any contract with
 324 nonprofit corporations that have agreed to assist the department
 325 with this program. If the contribution of the acquiring agency
 326 exceeds \$100 million in any one fiscal year, the agreement shall
 327 be submitted to and approved by the Legislative Budget
 328 Commission.

329 (5)~~(3)~~ Land acquisition procedures provided for in this
 330 section are for voluntary, negotiated acquisitions.

331 (6)~~(4)~~ For the purposes of this section, the term
 332 "negotiations" does not include preliminary contacts with the
 333 property owner to determine the availability of the property,
 334 existing appraisal data, existing abstracts, and surveys.

335 (7)~~(5)~~ Evidence of marketable title shall be provided by
 336 the landowner before ~~prior to~~ the conveyance of title, as
 337 provided in the final agreement for purchase. Such evidence of
 338 marketability shall be in the form of title insurance or an

339 abstract of title with a title opinion. The board of trustees
340 may waive the requirement that the landowner provide evidence of
341 marketable title, and, in such case, the acquiring agency shall
342 provide evidence of marketable title. The board of trustees or
343 its designee may waive the requirement of evidence of
344 marketability for acquisitions of property assessed by the
345 county property appraiser at \$10,000 or less, if where the
346 Division of State Lands finds, based upon such review of the
347 title records as is reasonable under the circumstances, that
348 there is no apparent impediment to marketability, or to
349 management of the property by the state.

350 (8)-(6) Before approval by the board of trustees, or, when
351 applicable, the Department of Environmental Protection, of any
352 agreement to purchase land pursuant to this chapter, chapter
353 259, chapter 260, or chapter 375, and before ~~Prior to~~
354 negotiations with the parcel owner to purchase any other land
355 ~~pursuant to this section~~, title to which will vest in the board
356 of trustees, an appraisal of the parcel shall be required as
357 follows:

358 (a) The board of trustees shall adopt by rule the method
359 for determining the value of parcels sought to be acquired by
360 state agencies pursuant to this section.

361 (b)-(a) Each parcel to be acquired shall have at least one
362 appraisal. Two appraisals are required when the estimated value
363 of the parcel exceeds \$1 million. However, if both appraisals
364 exceed \$1 million and differ significantly, a third appraisal

365 may be obtained. ~~If when~~ a parcel is estimated to be worth
366 \$100,000 or less and the director of the Division of State Lands
367 finds that the cost of an outside appraisal is not justified, a
368 comparable sales analysis, an appraisal prepared by the
369 division, or other reasonably prudent procedures may be used by
370 the division to estimate the value of the parcel, provided the
371 public's interest is reasonably protected. The state is not
372 required to appraise the value of lands and appurtenances that
373 are being donated to the state.

374 ~~(c) (b)~~ Appraisal fees and associated costs shall be paid
375 by the agency proposing the acquisition. ~~The board of trustees~~
376 ~~shall approve qualified fee appraisal organizations.~~ All
377 appraisals used for the acquisition of lands pursuant to this
378 section shall be prepared by a ~~member of an approved appraisal~~
379 ~~organization or by a~~ state-certified appraiser. The board of
380 trustees shall adopt rules for selecting individuals to perform
381 appraisals pursuant to this section. Each fee appraiser selected
382 to appraise a particular parcel shall, before ~~prior to~~
383 contracting with the agency or a participant in a multiparty
384 agreement, submit to the ~~that~~ agency an affidavit substantiating
385 that he or she has no vested or fiduciary interest in such
386 parcel.

387 (d) The fee appraiser and the review appraiser for the
388 agency may not act in any manner that may be construed as
389 negotiating with the owner of a parcel proposed for acquisition.

390 ~~(e) (e)~~ The board of trustees shall adopt by rule the

391 minimum criteria, techniques, and methods to be used in the
392 preparation of appraisal reports. Such rules shall incorporate,
393 to the extent practicable, generally accepted appraisal
394 standards. Any appraisal issued for acquisition of lands
395 pursuant to this section must comply with the rules adopted by
396 the board of trustees. A certified survey must be made which
397 meets the minimum requirements for upland parcels established in
398 the Minimum Technical Standards for Land Surveying in Florida
399 published by the Department of Agriculture and Consumer Services
400 ~~Business and Professional Regulation~~ and which accurately
401 portrays, to the greatest extent practicable, the condition of
402 the parcel as it currently exists. The requirement for a
403 certified survey may, in part or in whole, be waived by the
404 board of trustees any time before ~~prior to~~ submitting the
405 agreement for purchase to the Division of State Lands. When an
406 existing boundary map and description of a parcel are determined
407 by the division to be sufficient for appraisal purposes, the
408 division director may temporarily waive the requirement for a
409 survey until any time before ~~prior to~~ conveyance of title to the
410 parcel. ~~The fee appraiser and the review appraiser for the~~
411 ~~agency shall not act in any way that may be construed as~~
412 ~~negotiating with the property owner.~~

413 (f) ~~(d)~~ Appraisal reports are confidential and exempt from
414 ~~the provisions of s. 119.07(1),~~ for use by the agency and the
415 board of trustees, until an option contract is executed or, if
416 no option contract is executed, until 2 weeks before a contract

417 or agreement for purchase is considered for approval by the
418 board of trustees. The Department of Environmental Protection
419 may disclose appraisal reports to private landowners during
420 negotiations for acquisitions using alternatives to fee simple
421 techniques, if the department determines that disclosure of such
422 reports will bring the proposed acquisition to closure. However,
423 the private landowner must agree to maintain the confidentiality
424 of the reports or information. ~~However,~~ The department ~~Division~~
425 ~~of State Lands~~ may also disclose appraisal information to public
426 agencies or nonprofit organizations that agree to maintain the
427 confidentiality of the reports or information when joint
428 acquisition of property is contemplated, or when a public agency
429 or nonprofit organization enters into a written agreement with
430 the department ~~division~~ to purchase and hold property for
431 subsequent resale to the board of trustees ~~division~~. In
432 addition, the department ~~division~~ may use, as its own,
433 appraisals obtained by a public agency or nonprofit
434 organization, if provided the appraiser is selected from the
435 department's ~~division's~~ list of appraisers and the appraisal is
436 reviewed and approved by the department ~~division~~. For ~~the~~
437 purposes of this paragraph, the term "nonprofit organization"
438 means an organization that ~~whose purpose is the preservation of~~
439 ~~natural resources, and which~~ is exempt from federal income tax
440 under s. 501(c)(3) of the Internal Revenue Code and, for
441 purposes of the acquisition of conservation lands, an
442 organization whose purpose must include the preservation of

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443 natural resources. The agency may release an appraisal report
444 when the passage of time has rendered the conclusions of value
445 in the report invalid or when the acquiring agency has
446 terminated negotiations.

447 (g) ~~(e)~~ Before ~~Prior to~~ acceptance of an appraisal, the
448 agency shall submit a copy of such report to the division ~~of~~
449 ~~State Lands~~. The division shall review such report for
450 compliance with the rules of the board ~~of trustees~~. Any
451 questions of applicability of laws affecting an appraisal shall
452 be addressed by the legal office of the agency.

453 (h) ~~(f)~~ The appraisal report shall be accompanied by the
454 sales history of the parcel for at least the previous ~~prior~~ 5
455 years. Such sales history shall include all parties and
456 considerations with the amount of consideration verified, if
457 possible. If a sales history would not be useful, or it is its
458 cost prohibitive compared to the value of a parcel, the sales
459 history may be waived by the board of trustees. The board of
460 trustees shall adopt a rule specifying guidelines for waiver of
461 a sales history.

462 (i) ~~(g)~~ The board of trustees may consider an appraisal
463 acquired by a seller, or any part thereof, in negotiating to
464 purchase a parcel, but such appraisal may not be used in lieu of
465 an appraisal required by this subsection or to determine the
466 maximum offer allowed by law.

467 (j)1. The board of trustees shall adopt by rule the method
468 for determining the value of parcels sought to be acquired by

469 state agencies pursuant to this section. An offer by a state
470 agency may not exceed the value for that parcel as determined
471 pursuant to the highest approved appraisal or the value
472 determined pursuant to the rules of the board of trustees,
473 whichever value is less.

474 2. For a joint acquisition by a state agency and a local
475 government or other entity apart from the state, the joint
476 purchase price may not exceed 150 percent of the value for a
477 parcel as determined in accordance with the limits in
478 subparagraph 1. The state agency share of a joint purchase offer
479 may not exceed what the agency may offer singly pursuant to
480 subparagraph 1.

481 3. This paragraph does not apply to the acquisition of
482 historically unique or significant property as determined by the
483 Division of Historical Resources of the Department of State.

484
485 Notwithstanding this subsection, on behalf of the board of
486 trustees and before the appraisal of parcels approved for
487 purchase under this chapter or chapter 259, the Secretary of
488 Environmental Protection or the director of the Division of
489 State Lands may enter into option contracts to buy such parcels.
490 Any such option contract shall state that the final purchase
491 price is subject to approval by the board of trustees or, if
492 applicable, the Secretary of Environmental Protection, and that
493 the final purchase price may not exceed the maximum offer
494 allowed by law. Any such option contract presented to the board

495 of trustees for final purchase price approval shall explicitly
496 state that payment of the final purchase price is subject to an
497 appropriation from the Legislature. The consideration for such
498 an option may not exceed \$1,000 or 0.01 percent of the estimate
499 by the department of the value of the parcel, whichever amount
500 is greater.

501 (9)-(7)(a) When the owner is represented by an agent or
502 broker, negotiations may not be initiated or continued until a
503 written statement verifying such agent's or broker's legal or
504 fiduciary relationship with the owner is on file with the
505 agency.

506 (b) The board of trustees or any state agency may contract
507 for real estate acquisition services, including, but not limited
508 to, contracts for real estate commission fees, surveying,
509 mapping, environmental audits, title work, and legal and other
510 professional assistance to review acquisition agreements and
511 other documents and to perform acquisition closings. However,
512 the Department of Environmental Protection may use outside
513 counsel to review any agreements or documents or to perform
514 acquisition closings unless department staff can conduct the
515 same activity in 15 days or less.

516 (c) Upon the initiation of negotiations, the state agency
517 shall inform the owner in writing that all agreements for
518 purchase are subject to approval by the board of trustees.

519 (d) All offers or counteroffers shall be documented in
520 writing and shall be confidential and exempt from ~~the provisions~~

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521 ~~of~~ s. 119.07(1) until an option contract is executed, or if no
522 option contract is executed, until 2 weeks before a contract or
523 agreement for purchase is considered for approval by the board
524 of trustees. The agency shall maintain complete and accurate
525 records of all offers and counteroffers for all projects.

526 ~~(e)1. The board of trustees shall adopt by rule the method~~
527 ~~for determining the value of parcels sought to be acquired by~~
528 ~~state agencies pursuant to this section. No offer by a state~~
529 ~~agency, except an offer by an agency acquiring lands pursuant to~~
530 ~~s. 259.041, may exceed the value for that parcel as determined~~
531 ~~pursuant to the highest approved appraisal or the value~~
532 ~~determined pursuant to the rules of the board of trustees,~~
533 ~~whichever value is less.~~

534 ~~2. In the case of a joint acquisition by a state agency~~
535 ~~and a local government or other entity apart from the state, the~~
536 ~~joint purchase price may not exceed 150 percent of the value for~~
537 ~~a parcel as determined in accordance with the limits prescribed~~
538 ~~in subparagraph 1. The state agency share of a joint purchase~~
539 ~~offer may not exceed what the agency may offer singly as~~
540 ~~prescribed by subparagraph 1.~~

541 ~~3. The provisions of this paragraph do not apply to the~~
542 ~~acquisition of historically unique or significant property as~~
543 ~~determined by the Division of Historical Resources of the~~
544 ~~Department of State.~~

545 (e) ~~(f)~~ When making an offer to a landowner, a state agency
546 shall consider the desirability of a single cash payment in

547 relation to the maximum offer allowed by law.

548 (f)~~(g)~~ The state shall have the authority to reimburse the
549 owner for the cost of the survey when deemed appropriate. The
550 reimbursement is ~~shall~~ not be considered a part of the purchase
551 price.

552 (g)~~(h)~~ A final offer shall be in the form of an option
553 contract or agreement for purchase and shall be signed and
554 attested to by the owner and the representative of the agency.
555 Before the agency executes the option contract or agreement for
556 purchase, the contract or agreement shall be reviewed for form
557 and legality by legal staff of the agency. Before the agency
558 signs the agreement for purchase or exercises the option
559 contract, the provisions of s. 286.23 shall be complied with.
560 Within 10 days after the signing of the agreement for purchase,
561 the state agency shall furnish the Department of Environmental
562 Protection ~~Division of State Lands~~ with the original of the
563 agreement for purchase along with copies of the disclosure
564 notice, evidence of marketability, the accepted appraisal
565 report, the fee appraiser's affidavit, a statement that the
566 inventory of existing state-owned lands was examined and
567 contained no available suitable land in the area, and a
568 statement outlining the public purpose for which the acquisition
569 is being made and the statutory authority therefor.

570 (h)~~(i)~~ Within 45 days after ~~of~~ receipt by the Department
571 of Environmental Protection ~~Division of State Lands~~ of the
572 agreement for purchase and the required documentation, the board

573 of trustees or, if ~~when~~ the purchase price does not exceed
574 \$100,000, its designee shall ~~either~~ reject or approve the
575 agreement. An approved agreement for purchase is binding on both
576 parties. Any agreement which has been disapproved shall be
577 returned to the agency, along with a statement as to the
578 deficiencies of the agreement or the supporting documentation.
579 An agreement for purchase which has been disapproved by the
580 board of trustees may be resubmitted when such deficiencies have
581 been corrected.

582 (10) ~~(8)~~ (a) A ~~No~~ dedication, gift, grant, or bequest of
583 lands and appurtenances may not be accepted by the board of
584 trustees until the receiving state agency supplies sufficient
585 evidence of marketability of title. The board of trustees may
586 not accept by dedication, gift, grant, or bequest any lands and
587 appurtenances that are determined as being owned by the state
588 ~~either~~ in fee or by virtue of the state's sovereignty or which
589 are so encumbered so as to preclude the use of such lands and
590 appurtenances for any reasonable public purpose. The board of
591 trustees may accept a dedication, gift, grant, or bequest of
592 lands and appurtenances without formal evidence of
593 marketability, or when the title is nonmarketable, if the board
594 or its designee determines that such lands and appurtenances
595 have value and are reasonably manageable by the state, and that
596 their acceptance would serve the public interest. The state is
597 not required to appraise the value of such donated lands and
598 appurtenances as a condition of receipt.

599 (b) A ~~No~~ deed filed in the public records to donate lands
 600 to the board of trustees does not ~~of the Internal Improvement~~
 601 ~~Trust Fund shall be construed to~~ transfer title to or vest title
 602 in the board of trustees unless ~~there shall also be filed in the~~
 603 ~~public records,~~ a document indicating that the board of trustees
 604 has agreed to accept the transfer of title to such donated lands
 605 is also filed in the public records.

606 (c) Notwithstanding any other provision of law, the
 607 maximum value of a parcel to be purchased by the board of
 608 trustees as determined by the highest approved appraisal or as
 609 determined pursuant to the rules of the board of trustees may
 610 not be increased or decreased as a result of a change in zoning
 611 or permitted land uses, or changes in market forces or prices
 612 that occur within 1 year after the date the Department of
 613 Environmental Protection or the board of trustees approves a
 614 contract to purchase the parcel.

615 (11) Notwithstanding this section, the board of trustees,
 616 by an affirmative vote of at least three members, voting at a
 617 regularly scheduled and advertised meeting, may direct the
 618 Department of Environmental Protection to exercise the power of
 619 eminent domain pursuant to chapters 73 and 74 to acquire any
 620 conservation parcel identified on the acquisition list
 621 established by the Acquisition and Restoration Council and
 622 approved by the board of trustees pursuant to chapter 259.
 623 However, the board of trustees may only make such a vote under
 624 the following circumstances:

625 (a) The state has made at least two bona fide offers to
626 purchase the land through negotiation and, notwithstanding those
627 offers, an impasse between the state and the landowner was
628 reached.

629 (b) The land is of special importance to the state because
630 of one or more of the following reasons:

631 1. It involves an endangered or natural resource and is in
632 imminent danger of development.

633 2. It is of unique value to the state and the failure to
634 acquire it will result in irreparable loss to the state.

635 3. The failure of the state to acquire it will seriously
636 impair the state's ability to manage or protect other state-
637 owned lands.

638
639 Pursuant to this subsection, the department may exercise
640 condemnation authority directly or by contracting with the
641 Department of Transportation or a water management district to
642 provide that service. If the Department of Transportation or a
643 water management district enters into such a contract with the
644 department, the Department of Transportation or a water
645 management district may use statutorily approved methods and
646 procedures ordinarily used by the agency for condemnation
647 purposes.

648 (12)-(9) Any conveyance to the board of trustees of fee
649 title shall be made by no less than a special warranty deed,
650 unless the conveyance is from the Federal Government, the county

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651 government, or another state agency or, in the event of a gift
652 or donation by quitclaim deed, if the board of trustees, or its
653 designee, determines that the acceptance of such quitclaim deed
654 is in the best interest of the public. A quitclaim deed may also
655 be accepted to aid in clearing title or boundary questions. ~~The~~
656 ~~title to lands acquired pursuant to this section shall vest in~~
657 ~~the board of trustees as provided in s. 253.03(1). All such~~
658 ~~lands, title to which is vested in the board pursuant to this~~
659 ~~section, shall be administered pursuant to the provisions of s.~~
660 ~~253.03.~~

661 (13)~~(10)~~ The board of trustees may purchase tax
662 certificates or tax deeds issued in accordance with chapter 197
663 relating to property eligible for purchase under this section.

664 (14)~~(11)~~ The Auditor General shall conduct audits of
665 acquisitions and divestitures which, according to his or her
666 preliminary assessments of board-approved acquisitions and
667 divestitures, he or she deems necessary. These preliminary
668 assessments shall be initiated not later than 60 days after
669 ~~following~~ the board of trustees' final approval ~~by the board of~~
670 land acquisitions under this section. If an audit is conducted,
671 the Auditor General shall submit an audit report to the board of
672 trustees, the President of the Senate, the Speaker of the House
673 of Representatives, and their designees.

674 (15)~~(12)~~ The board of trustees and all affected agencies
675 shall adopt and may modify or repeal such rules and regulations
676 as are necessary to carry out ~~the purposes of~~ this section,

677 including rules governing the terms and conditions of land
678 purchases. Such rules shall address the procedures to be
679 followed, when multiple landowners are involved in an
680 acquisition, in obtaining written option agreements so that the
681 interests of the state are fully protected.

682 (16)~~(13)~~(a) The board of trustees ~~of the Internal~~
683 ~~Improvement Trust Fund~~ may deed property to the Department of
684 Agriculture and Consumer Services, so that the Department of
685 Agriculture and Consumer Services is ~~department shall be~~ able to
686 sell, convey, transfer, exchange, trade, or purchase land on
687 which a forestry facility resides for money or other more
688 suitable property on which to relocate the facility. Any sale or
689 purchase of property by the Department of Agriculture and
690 Consumer Services shall follow the requirements of subsections
691 (7)-(10) and (12) ~~(5)-(9)~~. Any sale shall be at fair market
692 value, and any trade shall ensure that the state is getting at
693 least an equal value for the property. Except as provided in
694 subsections (7)-(10) and (12) ~~(5)-(9)~~, the Department of
695 Agriculture and Consumer Services is excluded from following the
696 provisions of this chapter and chapters 259 and 375. This
697 exclusion does ~~shall~~ not apply to lands acquired for
698 conservation purposes in accordance with s. 253.0341(1) or (2)
699 ~~253.034(6)(a) or (b)~~.

700 (b) In the case of a sale by the Department of Agriculture
701 and Consumer Services of a forestry facility, the proceeds of
702 the sale shall be deposited ~~go~~ into the Department of

703 Agriculture and Consumer Services Incidental Trust Fund. The
 704 Legislature may, at the request of the Department of Agriculture
 705 and Consumer Services ~~department~~, appropriate such money within
 706 the trust fund to the Department of Agriculture and Consumer
 707 Services ~~department~~ for purchase of land and construction of a
 708 facility to replace the disposed facility. All proceeds other
 709 than land from any sale, conveyance, exchange, trade, or
 710 transfer conducted pursuant to ~~as provided for in~~ this
 711 subsection shall be deposited into ~~placed within~~ the Department
 712 of Agriculture and Consumer Services ~~department's~~ Incidental
 713 Trust Fund.

714 (c) Additional funds may be added from time to time by the
 715 Legislature to further the relocation and construction of
 716 forestry facilities. ~~If In the instance where~~ an equal trade of
 717 land occurs, money from the trust fund may be appropriated for
 718 building construction even though no money was received from the
 719 trade.

720 ~~(17)-(14)~~ Any agency that acquires land on behalf of the
 721 board of trustees is authorized to request disbursement of
 722 payments for real estate closings in accordance with a written
 723 authorization from an ultimate beneficiary to allow a third
 724 party authorized by law to receive such payment provided the
 725 Chief Financial Officer determines that such disbursement is
 726 consistent with good business practices and can be completed in
 727 a manner minimizing costs and risks to the state.

728 ~~(18)-(15)~~ Pursuant to s. 944.10, the Department of

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729 Corrections is responsible for obtaining appraisals and entering
730 into option agreements and agreements for the purchase of state
731 correctional facility sites. An option agreement or agreement
732 for purchase is not binding upon the state until it is approved
733 by the board of trustees ~~of the Internal Improvement Trust Fund~~.
734 The provisions of paragraphs (8) (c), (e), and (f) and (9) (b),
735 (c), and (d) ~~(6) (b), (c), and (d) and (7) (b), (c), and (d)~~ apply
736 to all appraisals, offers, and counteroffers of the Department
737 of Corrections for state correctional facility sites.

738 (19) ~~(16)~~ Many parcels of land acquired pursuant to this
739 section may contain cattle-dipping vats as defined in s.
740 376.301. The state is encouraged to continue with the
741 acquisition of such lands, including any ~~the~~ cattle-dipping vats
742 ~~vat~~.

743 (20) ~~(17)~~ Pursuant to s. 985.682, the Department of
744 Juvenile Justice is responsible for obtaining appraisals and
745 entering into option agreements and agreements for the purchase
746 of state juvenile justice facility sites. An option agreement or
747 agreement for purchase is not binding upon the state until it is
748 approved by the board of trustees ~~of the Internal Improvement~~
749 ~~Trust Fund~~. The provisions of paragraphs (8) (c), (e), and (f)
750 and (9) (b), (c), and (d) ~~(6) (b), (c), and (d) and (7) (b), (c),~~
751 ~~and (d)~~ apply to all appraisals, offers, and counteroffers of
752 the Department of Juvenile Justice for state juvenile justice
753 facility sites.

754 (21) ~~(18)~~ The board of trustees may acquire, pursuant to s.

755 288.980(2)(b), nonconservation lands from the annual list
756 submitted by the Department of Economic Opportunity for the
757 purpose of buffering a military installation against
758 encroachment.

759 (22) The board of trustees, by an affirmative vote of at
760 least three members, may direct the department to purchase lands
761 on an immediate basis using up to 15 percent of the funds
762 allocated to the department pursuant to s. 259.105 for the
763 acquisition of lands that:

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

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

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

774
775 For such acquisitions, the board of trustees may waive or modify
776 all procedures required for land acquisition pursuant to this
777 chapter and all competitive bid procedures required pursuant to
778 chapters 255 and 287. Lands acquired pursuant to this subsection
779 must, at the time of purchase, be on one of the acquisition
780 lists established pursuant to chapter 259, or be essential for

781 water resource development, protection, or restoration, or a
782 significant portion of the lands must contain natural
783 communities or plant or animal species that are listed by the
784 Florida Natural Areas Inventory as critically imperiled,
785 imperiled, or rare, or as excellent quality occurrences of
786 natural communities.

787 (23) Title to lands to be held jointly by the board of
788 trustees and a water management district and acquired pursuant
789 to s. 373.139 may be deemed to meet the standards necessary for
790 ownership by the board of trustees, notwithstanding this section
791 or related rules.

792 (24) For purposes of this section, the term "projects"
793 means those Florida Forever projects selected pursuant to
794 chapter 259.

795 Section 2. Section 253.0251, Florida Statutes, is created
796 to read:

797 253.0251 Alternatives to fee simple acquisition.—

798 (1) The Legislature finds that:

799 (a) With the increasing pressures on the natural areas of
800 this state and on open space suitable for recreational use, the
801 state must develop creative techniques to maximize the use of
802 acquisition and management funds.

803 (b) The state's conservation and recreational land
804 acquisition agencies should be encouraged to augment their
805 traditional, fee simple acquisition programs with the use of
806 alternatives to fee simple acquisition techniques. In addition,

807 the Legislature finds that generations of private landowners
808 have been good stewards of their land, protecting or restoring
809 native habitats and ecosystems to the benefit of the natural
810 resources of this state, its heritage, and its citizens. The
811 Legislature also finds that using alternatives to fee simple
812 acquisition by public land acquisition agencies will achieve the
813 following public policy goals:

814 1. Allow more lands to be brought under public protection
815 for preservation, conservation, and recreational purposes with
816 less expenditure of public funds.

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

819 3. Reduce long-term management costs by allowing private
820 property owners to continue acting as stewards of their land,
821 when appropriate.

822
823 Therefore, it is the intent of the Legislature that public land
824 acquisition agencies develop programs to pursue alternatives to
825 fee simple acquisition and to educate private landowners about
826 such alternatives and the benefits of such alternatives. It is
827 also the intent of the Legislature that a portion of the shares
828 of Florida Forever bond proceeds be used to purchase eligible
829 properties using alternatives to fee simple acquisition.

830 (2) All applications for alternatives to fee simple
831 acquisition projects shall identify, within their acquisition
832 plans, projects that require a full fee simple interest to

833 achieve the public policy goals, together with the reasons full
834 title is determined to be necessary. The state agencies and the
835 water management districts may use alternatives to fee simple
836 acquisition to bring the remaining projects in their acquisition
837 plans under public protection. For purposes of this section, the
838 phrase "alternatives to fee simple acquisition" includes, but is
839 not limited to, purchase of development rights; obtaining
840 conservation easements; obtaining flowage easements; purchase of
841 timber rights, mineral rights, or hunting rights; purchase of
842 agricultural interests or silvicultural interests; fee simple
843 acquisitions with reservations; creating life estates; or any
844 other acquisition technique that achieves the public policy
845 goals listed in subsection (1). It is presumed that a private
846 landowner retains the full range of uses for all the rights or
847 interests in the landowner's land which are not specifically
848 acquired by the public agency. The lands upon which hunting
849 rights are specifically acquired pursuant to this section shall
850 be available for hunting in accordance with the management plan
851 or hunting regulations adopted by the Fish and Wildlife
852 Conservation Commission, unless the hunting rights are purchased
853 specifically to protect activities on adjacent lands.

854 (3) When developing the acquisition plan pursuant to s.
855 259.105, the Acquisition and Restoration Council may give
856 preference to those less than fee simple acquisitions that
857 provide any public access. However, the Legislature recognizes
858 that public access is not always appropriate for certain less

859 than fee simple acquisitions. Therefore, any proposed less than
860 fee simple acquisition may not be rejected simply because public
861 access would be limited.

862 (4) The Department of Environmental Protection and each
863 water management district shall implement initiatives to use
864 alternatives to fee simple acquisition and to educate private
865 landowners about such alternatives. The department and the water
866 management districts may enter into joint acquisition agreements
867 to jointly fund the purchase of lands using alternatives to fee
868 simple techniques.

869 (5) The Legislature finds that the lack of direct sales
870 comparison information has served as an impediment to successful
871 implementation of alternatives to fee simple acquisition. It is
872 the intent of the Legislature that, in the absence of direct
873 comparable sales information, appraisals of alternatives to fee
874 simple acquisitions be based on the difference between the full
875 fee simple valuation and the value of the interests remaining
876 with the seller after acquisition.

877 (6) The public agency that has been assigned management
878 responsibility shall inspect and monitor any less than fee
879 simple interest according to the terms of the purchase agreement
880 relating to such interest.

881 Section 3. Subsection (2), paragraph (c) of subsection
882 (7), and subsections (11) and (15) of section 253.03, Florida
883 Statutes, are amended to read:

884 253.03 Board of trustees to administer state lands; lands

885 enumerated.—

886 (2) It is the intent of the Legislature that the board of
887 trustees ~~of the Internal Improvement Trust Fund~~ continue to
888 receive proceeds from the sale or disposition of the products of
889 lands and the sale of lands of which the use and possession are
890 not subsequently transferred by appropriate lease or similar
891 instrument from the board of trustees to the proper using
892 agency. Such using agency shall be entitled to the proceeds from
893 the sale of products on, under, growing out of, or connected
894 with lands which such using agency holds under lease or similar
895 instrument from the board of trustees. The board of trustees ~~of~~
896 ~~the Internal Improvement Trust Fund~~ is directed and authorized
897 to enter into leases or similar instruments for the use,
898 benefit, and possession of public lands by agencies which may
899 properly use and possess them for the benefit of the state. ~~The~~
900 ~~board of trustees shall adopt by rule an annual administrative~~
901 ~~fee for all existing and future leases or similar instruments,~~
902 ~~to be charged agencies that are leasing land from it. This~~
903 ~~annual administrative fee assessed for all leases or similar~~
904 ~~instruments is to compensate the board for costs incurred in the~~
905 ~~administration and management of such leases or similar~~
906 ~~instruments.~~

907 (7)

908 (c) Structures which are listed in or are eligible for the
909 National Register of Historic Places or the State Inventory of
910 Historic Places which are over the waters of the state ~~of~~

911 ~~Florida~~ and which have a submerged land lease, or have been
 912 grandfathered-in to use sovereignty submerged lands until
 913 January 1, 1998, pursuant to former rule 18-21.00405, Florida
 914 Administrative Code, as it existed in rule on March 15, 1990,
 915 shall have the right to continue such submerged land leases,
 916 regardless of the fact that the present landholder is not an
 917 adjacent riparian landowner, so long as the lessee maintains the
 918 structure in a good state of repair consistent with the
 919 guidelines for listing. If the structure is damaged or
 920 destroyed, the lessee may ~~shall be allowed to~~ reconstruct, so
 921 long as the reconstruction is consistent with the integrity of
 922 the listed structure and does not increase the footprint of the
 923 structure. If a listed structure ~~so listed~~ falls into disrepair
 924 and the lessee is not willing to repair and maintain it
 925 consistent with its listing, the state may cancel the submerged
 926 lease and ~~either~~ repair and maintain the property or require
 927 that the structure be removed from sovereignty submerged lands.

928 (11) The board of trustees ~~of the Internal Improvement~~
 929 ~~Trust Fund~~ may adopt rules to provide for the assessment and
 930 collection of reasonable fees, commensurate with the actual cost
 931 to the board, for disclaimers, easements, exchanges, gifts,
 932 leases, releases, or sales of any interest in lands or any
 933 applications therefor and for reproduction of documents. All
 934 revenues received from the application fees charged by a water
 935 management district to process applications that include a
 936 request to use state lands are to be retained by the water

937 | management district. The board of trustees shall adopt by rule
 938 | an annual administrative fee for all existing and future leases
 939 | or similar instruments to be charged to agencies that are
 940 | leasing land from the board of trustees. This annual
 941 | administrative fee assessed for all leases or similar
 942 | instruments is to compensate the board of trustees for costs
 943 | incurred in the administration and management of such leases or
 944 | similar instruments.

945 | (15) The board of trustees ~~of the Internal Improvement~~
 946 | ~~Trust Fund~~ shall encourage the use of sovereign submerged lands
 947 | for public access and water-dependent uses which may include
 948 | related minimal secondary nonwater-dependent uses and public
 949 | access.

950 | Section 4. Subsections (8) and (9) of section 253.031,
 951 | Florida Statutes, are renumbered as subsections (7) and (8),
 952 | respectively, and present subsections (2) and (7) of that
 953 | section are amended, to read:

954 | 253.031 Land office; custody of documents concerning land;
 955 | moneys; plats.—

956 | (2) The board ~~of trustees of the Internal Improvement~~
 957 | ~~Trust Fund~~ shall have custody of, and the department shall
 958 | maintain, all the records, surveys, plats, maps, field notes,
 959 | and patents and all other evidence touching the title and
 960 | description of the public domain.

961 | ~~(7) The board shall receive all of the tract books, plats,~~
 962 | ~~and such records and papers heretofore kept in the United States~~

963 ~~Land Office at Gainesville, Alachua County, as may be~~
964 ~~surrendered by the Secretary of the Interior; and the board~~
965 ~~shall carefully and safely keep and preserve all of said tract~~
966 ~~books, plats, records, and papers as part of the public records~~
967 ~~of its office, and at any time allow any duly accredited~~
968 ~~authority of the United States, full and free access to any and~~
969 ~~all of such tract books, plats, records, and papers, and shall~~
970 ~~furnish any duly accredited authority of the United States with~~
971 ~~copies of any such records without charge.~~

972 Section 5. Section 253.034, Florida Statutes, is amended
973 to read:

974 253.034 State-owned lands; uses.—

975 (1) All lands acquired pursuant to chapter 259 shall be
976 managed to serve the public interest by protecting and
977 conserving land, air, water, and the state's natural resources,
978 which contribute to the public health, welfare, and economy of
979 the state. These lands shall be managed to provide for areas of
980 natural resource based recreation, and to ensure the survival of
981 plant and animal species and the conservation of finite and
982 renewable natural resources. The state's lands and natural
983 resources shall be managed using a stewardship ethic that
984 assures these resources will be available for the benefit and
985 enjoyment of all people of the state, both present and future.
986 It is the intent of the Legislature that, where feasible and
987 consistent with the goals of protection and conservation of
988 natural resources associated with lands held in the public trust

989 | by the Board of Trustees of the Internal Improvement Trust Fund,
 990 | public land not designated for single-use purposes pursuant to
 991 | paragraph (2)(b) be managed for multiple-use purposes. All
 992 | multiple-use land management strategies shall address public
 993 | access and enjoyment, resource conservation and protection,
 994 | ecosystem maintenance and protection, and protection of
 995 | threatened and endangered species, and the degree to which
 996 | public-private partnerships or endowments may allow the entity
 997 | with management responsibility to enhance its ability to manage
 998 | these lands. The Acquisition and Restoration Council ~~created in~~
 999 | ~~s. 259.035~~ shall recommend rules to the board of trustees, and
 1000 | the board of trustees shall adopt rules necessary to carry out
 1001 | the purposes of this section.

1002 | (2) As used in this section, the term ~~following phrases~~
 1003 | ~~have the following meanings:~~

1004 | (a) "Multiple use" means the harmonious and coordinated
 1005 | management of timber, recreation, conservation of fish and
 1006 | wildlife, forage, archaeological and historic sites, habitat and
 1007 | other biological resources, or water resources so that they are
 1008 | used ~~utilized~~ in the combination that will best serve the people
 1009 | of the state, making the most judicious use of the land for some
 1010 | or all of these resources and giving consideration to the
 1011 | relative values of the various resources. Where necessary and
 1012 | appropriate for all state-owned lands that are larger than 1,000
 1013 | acres in project size and are managed for multiple uses, buffers
 1014 | may be formed around any areas that require special protection

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1015 or have special management needs. Such buffers may ~~shall~~ not
1016 exceed more than one-half of the total acreage. Multiple uses
1017 within a buffer area may be restricted to provide the necessary
1018 buffering effect desired. Multiple use in this context includes
1019 both uses of land or resources by more than one management
1020 entity, which may include private sector land managers. In any
1021 case, lands identified as multiple-use lands in the land
1022 management plan shall be managed to enhance and conserve the
1023 lands and resources for the enjoyment of the people of the
1024 state.

1025 (b) "Single use" means management for one particular
1026 purpose to the exclusion of all other purposes, except that the
1027 using entity shall have the option of including in its
1028 management program compatible secondary purposes which will not
1029 detract from or interfere with the primary management purpose.
1030 Such single uses may include, but are not necessarily restricted
1031 to, the use of agricultural lands for production of food and
1032 livestock, the use of improved sites and grounds for
1033 institutional purposes, and the use of lands for parks,
1034 preserves, wildlife management, archaeological or historic
1035 sites, or wilderness areas where the maintenance of essentially
1036 natural conditions is important. All submerged lands shall be
1037 considered single-use lands and shall be managed primarily for
1038 the maintenance of essentially natural conditions, the
1039 propagation of fish and wildlife, and public recreation,
1040 including hunting and fishing where deemed appropriate by the

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1041 managing entity.

1042 (c) "Conservation lands" means lands that are currently
1043 managed for conservation, outdoor resource-based recreation, or
1044 archaeological or historic preservation, except those lands that
1045 were acquired solely to facilitate the acquisition of other
1046 conservation lands. Lands acquired for uses other than
1047 conservation, outdoor resource-based recreation, or
1048 archaeological or historic preservation may ~~shall~~ not be
1049 designated conservation lands except as otherwise authorized
1050 under this section. These lands shall include, but not be
1051 limited to, the following: correction and detention facilities,
1052 military installations and facilities, state office buildings,
1053 maintenance yards, state university or Florida College System
1054 institution campuses, agricultural field stations or offices,
1055 tower sites, law enforcement and license facilities,
1056 laboratories, hospitals, clinics, and other sites that do not
1057 possess ~~ne~~ significant natural or historical resources. However,
1058 lands acquired solely to facilitate the acquisition of other
1059 conservation lands, and for which the land management plan has
1060 not yet been completed or updated, may be evaluated by the Board
1061 of Trustees of the Internal Improvement Trust Fund on a case-by-
1062 case basis to determine if they will be designated conservation
1063 lands.

1064 (d) "Public access," as used in this chapter and chapter
1065 259, means access by the general public to state lands and
1066 water, including vessel access made possible by boat ramps,

1067 docks, and associated support facilities, where compatible with
 1068 conservation and recreation objectives.

1069
 1070 Lands acquired by the state as a gift, through donation, or by
 1071 any other conveyance for which no consideration was paid, and
 1072 which are not managed for conservation, outdoor resource-based
 1073 recreation, or archaeological or historic preservation under a
 1074 land management plan approved by the board of trustees are not
 1075 conservation lands.

1076 (3) Recognizing that recreational trails purchased with
 1077 rails-to-trails funds pursuant to former s. 259.101(3)(g),
 1078 Florida Statutes 2014, or s. 259.105(3)(h) have had historic
 1079 transportation uses and that their linear character may extend
 1080 many miles, the Legislature intends that if the necessity arises
 1081 to serve public needs, after balancing the need to protect trail
 1082 users from collisions with automobiles and a preference for the
 1083 use of overpasses and underpasses to the greatest extent
 1084 feasible and practical, transportation uses shall be allowed to
 1085 cross recreational trails purchased pursuant to former s.
 1086 259.101(3)(g), Florida Statutes 2014, or s. 259.105(3)(h). When
 1087 these crossings are needed, the location and design should
 1088 consider and mitigate the impact on humans and environmental
 1089 resources, and the value of the land shall be paid based on fair
 1090 market value.

1091 (4) A ~~No~~ management agreement, lease, or other instrument
 1092 authorizing the use of lands owned by the board of trustees may

1093 ~~not of the Internal Improvement Trust Fund shall~~ be executed for
 1094 a period greater than is necessary to provide for the reasonable
 1095 use of the land for the existing or planned life cycle or
 1096 amortization of the improvements, except that an easement in
 1097 perpetuity may be granted by the board of trustees ~~of the~~
 1098 ~~Internal Improvement Trust Fund~~ if the improvement is a
 1099 transportation facility. If an entity managing or leasing state-
 1100 owned lands from the board of trustees does not meet the short-
 1101 term goals under paragraph (5) (b) for conservation lands or
 1102 under paragraph (5) (i) for nonconservation lands, the Department
 1103 of Environmental Protection may submit the lands to the board of
 1104 trustees to consider whether to require the managing or leasing
 1105 entity to release its interest in the lands and to consider
 1106 whether to surplus the lands. If the state-owned land is
 1107 determined to be surplus, the board of trustees may require an
 1108 entity to release its interest in the lands. An entity managing
 1109 or leasing state-owned lands from the board of trustees may not
 1110 sublease such lands without prior review by the Division of
 1111 State Lands and, for conservation lands, by the Acquisition and
 1112 Restoration Council ~~created in s. 259.035~~. All management
 1113 agreements, leases, or other instruments authorizing the use of
 1114 lands owned by the board of trustees shall be reviewed for
 1115 approval by the board of trustees or its designee. The council
 1116 is not required to review subleases of parcels which are less
 1117 than 160 acres in size.

1118 (5) Each manager of conservation lands shall submit to the

1119 Division of State Lands a land management plan at least every 10
 1120 years in a form and manner adopted ~~prescribed~~ by rule of ~~by~~ the
 1121 board of trustees and in accordance with ~~the provisions of~~ s.
 1122 259.032. Each manager of conservation lands shall also update a
 1123 land management plan whenever the manager proposes to add new
 1124 facilities or make substantive land use or management changes
 1125 that were not addressed in the approved plan, or within 1 year
 1126 after ~~of~~ the addition of significant new lands. Each manager of
 1127 nonconservation lands shall submit to the Division of State
 1128 Lands a land use plan at least every 10 years in a form and
 1129 manner adopted ~~prescribed~~ by rule of ~~by~~ the board of trustees.
 1130 The division shall review each plan for compliance with the
 1131 requirements of this subsection and the requirements of the
 1132 rules adopted ~~established~~ by the board of trustees pursuant to
 1133 this section. All nonconservation land use plans, whether for
 1134 single-use or multiple-use properties, shall be managed to
 1135 provide the greatest benefit to the state ~~include an analysis of~~
 1136 ~~the property to determine if any significant natural or cultural~~
 1137 ~~resources are located on the property. Such resources include~~
 1138 ~~archaeological and historic sites, state and federally listed~~
 1139 ~~plant and animal species, and imperiled natural communities and~~
 1140 ~~unique natural features. If such resources occur on the~~
 1141 ~~property, the manager shall consult with the Division of State~~
 1142 ~~Lands and other appropriate agencies to develop management~~
 1143 ~~strategies to protect such resources. Land use plans shall also~~
 1144 ~~provide for the control of invasive nonnative plants and~~

1145 ~~conservation of soil and water resources, including a~~
1146 ~~description of how the manager plans to control and prevent soil~~
1147 ~~erosion and soil or water contamination. Land use plans~~
1148 ~~submitted by a manager shall include reference to appropriate~~
1149 ~~statutory authority for such use or uses and shall conform to~~
1150 ~~the appropriate policies and guidelines of the state land~~
1151 ~~management plan.~~ Plans for managed areas larger than 1,000 acres
1152 shall contain an analysis of the multiple-use potential of the
1153 property, which includes analysis ~~shall include~~ the potential of
1154 the property to generate revenues to enhance the management of
1155 the property. In addition ~~Additionally~~, the plan shall contain
1156 an analysis of the potential use of private land managers to
1157 facilitate the restoration or management of these lands. If ~~In~~
1158 ~~those cases where~~ a newly acquired property has a valid
1159 conservation plan that was developed by a soil and conservation
1160 district, such plan shall be used to guide management of the
1161 property until a formal land use plan is completed.

1162 (a) State conservation lands shall be managed to ensure
1163 the conservation of the state's plant and animal species and to
1164 ensure the accessibility of state lands for the benefit and
1165 enjoyment of all people of the state, both present and future.
1166 Each land management plan for state conservation lands shall
1167 provide a desired outcome, describe both short-term and long-
1168 term management goals, and include measurable objectives to
1169 achieve those goals. Short-term goals shall be achievable within
1170 a 2-year planning period, and long-term goals shall be

1171 | achievable within a 10-year planning period. These short-term
 1172 | and long-term management goals shall be the basis for all
 1173 | subsequent land management activities.

1174 | (b) Short-term and long-term management goals for state
 1175 | conservation lands shall include measurable objectives for the
 1176 | following, as appropriate:

- 1177 | 1. Habitat restoration and improvement.
- 1178 | 2. Public access and recreational opportunities.
- 1179 | 3. Hydrological preservation and restoration.
- 1180 | 4. Sustainable forest management.
- 1181 | 5. Exotic and invasive species maintenance and control.
- 1182 | 6. Capital facilities and infrastructure.
- 1183 | 7. Cultural and historical resources.
- 1184 | 8. Imperiled species habitat maintenance, enhancement,
 1185 | restoration, or population restoration.

1186 | (c) The land management plan shall, at a minimum, contain
 1187 | the following elements:

- 1188 | 1. A physical description of the land.
- 1189 | 2. A quantitative data description of the land which
 1190 | includes an inventory of forest and other natural resources;
 1191 | exotic and invasive plants; hydrological features;
 1192 | infrastructure, including recreational facilities; and other
 1193 | significant land, cultural, or historical features. The
 1194 | inventory shall reflect the number of acres for each resource
 1195 | and feature, when appropriate. The inventory shall be of such
 1196 | detail that objective measures and benchmarks can be established

1197 | for each tract of land and monitored during the lifetime of the
 1198 | plan. All quantitative data collected shall be aggregated,
 1199 | standardized, collected, and presented in an electronic format
 1200 | to allow for uniform management reporting and analysis. The
 1201 | information collected by the Department of Environmental
 1202 | Protection pursuant to s. 253.0325(2) shall be available to the
 1203 | land manager and his or her assignee.

1204 | 3. A detailed description of each short-term and long-term
 1205 | land management goal, the associated measurable objectives, and
 1206 | the related activities that are to be performed to meet the land
 1207 | management objectives. Each land management objective must be
 1208 | addressed by the land management plan, and if ~~where~~ practicable,
 1209 | a ~~no~~ land management objective may not ~~shall~~ be performed to the
 1210 | detriment of the other land management objectives.

1211 | 4. A schedule of land management activities which contains
 1212 | short-term and long-term land management goals and the related
 1213 | measurable objective and activities. The schedule shall include
 1214 | for each activity a timeline for completion, quantitative
 1215 | measures, and detailed expense and manpower budgets. The
 1216 | schedule shall provide a management tool that facilitates
 1217 | development of performance measures.

1218 | 5. A summary budget for the scheduled land management
 1219 | activities of the land management plan. For state lands
 1220 | containing or anticipated to contain imperiled species habitat,
 1221 | the summary budget shall include any fees anticipated from
 1222 | public or private entities for projects to offset adverse

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1223 impacts to imperiled species or such habitat, which fees shall
1224 be used solely to restore, manage, enhance, repopulate, or
1225 acquire imperiled species habitat. The summary budget shall be
1226 prepared in such manner that it facilitates computing an
1227 aggregate of land management costs for all state-managed lands
1228 using the categories described in s. 259.037(3).

1229 (d) Upon completion, the land management plan must ~~will~~ be
1230 transmitted to the Acquisition and Restoration Council for
1231 review. The ~~Acquisition and Restoration~~ council shall have 90
1232 days after receipt of the plan to review the plan and submit its
1233 recommendations to the board of trustees. During the review
1234 period, the land management plan may be revised if agreed to by
1235 the primary land manager and the ~~Acquisition and Restoration~~
1236 council taking into consideration public input. ~~If the~~
1237 ~~Acquisition and Restoration Council fails to make a~~
1238 ~~recommendation for a land management plan, the secretary of the~~
1239 ~~Department of Environmental Protection, Commissioner of~~
1240 ~~Agriculture, or Executive Director of the Fish and Wildlife~~
1241 ~~Conservation Commission or their designees shall submit the land~~
1242 ~~management plan to the board of trustees.~~ The land management
1243 plan becomes effective upon approval by the board of trustees.

1244 (e) Land management plans are to be updated every 10 years
1245 on a rotating basis. Each updated land management plan must
1246 identify conservation lands under the plan, in part or in whole,
1247 that are no longer needed for conservation purposes and could be
1248 disposed of in fee simple or with the state retaining a

1249 permanent conservation easement.

1250 (f) In developing land management plans, at least one
 1251 public hearing shall be held in any one affected county.

1252 (g) The Division of State Lands shall make available to
 1253 the public an electronic copy of each land management plan for
 1254 parcels that exceed 160 acres in size. The division ~~of State~~
 1255 ~~Lands~~ shall review each plan for compliance with the
 1256 requirements of this subsection, the requirements of chapter
 1257 259, and the requirements of the rules adopted ~~established~~ by
 1258 the board of trustees pursuant to this section. The Acquisition
 1259 and Restoration Council shall also consider the propriety of the
 1260 recommendations of the managing entity with regard to the future
 1261 use of the property, the protection of fragile or nonrenewable
 1262 resources, the potential for alternative or multiple uses not
 1263 recognized by the managing entity, and the possibility of
 1264 disposal of the property by the board of trustees. After its
 1265 review, the council shall submit the plan, along with its
 1266 recommendations and comments, to the board of trustees. The
 1267 council shall specifically recommend to the board of trustees
 1268 whether to approve the plan as submitted, approve the plan with
 1269 modifications, or reject the plan. If the ~~Acquisition and~~
 1270 ~~Restoration~~ council fails to make a recommendation for a land
 1271 management plan, the Secretary ~~of the Department~~ of
 1272 Environmental Protection, Commissioner of Agriculture, or
 1273 executive director of the Fish and Wildlife Conservation
 1274 Commission or their designees shall submit the land management

1275 plan to the board of trustees.

1276 (h) The board of trustees ~~of the Internal Improvement~~
 1277 ~~Trust Fund~~ shall consider the land management plan submitted by
 1278 each entity and the recommendations of the Acquisition and
 1279 Restoration Council and the Division of State Lands and shall
 1280 approve the plan with or without modification or reject such
 1281 plan. The use or possession of any such lands that is not in
 1282 accordance with an approved land management plan is subject to
 1283 termination by the board of trustees.

1284 (i) 1. State nonconservation lands shall be managed to
 1285 provide the greatest benefit to the state. Each land use plan
 1286 shall, at a minimum, contain the following elements:

1287 a. A physical description of the land to include any
 1288 significant natural or cultural resources as well as management
 1289 strategies developed by the land manager to protect such
 1290 resources.

1291 b. A desired development outcome.

1292 c. A schedule for achieving the desired development
 1293 outcome.

1294 d. A description of both short-term and long-term
 1295 development goals.

1296 e. A management and control plan for invasive nonnative
 1297 plants.

1298 f. A management and control plan for soil erosion and soil
 1299 and water contamination.

1300 g. Measureable objectives to achieve the goals identified

1301 in the land use plan.

1302 2. Short-term goals shall be achievable within a 5-year
 1303 planning period and long-term goals shall be achievable within a
 1304 10-year planning period.

1305 3. The use or possession of any such lands that is not in
 1306 accordance with an approved land use plan is subject to
 1307 termination by the board of trustees.

1308 4. Land use plans submitted by a manager shall include
 1309 reference to appropriate statutory authority for such use or
 1310 uses and shall conform to the appropriate policies and
 1311 guidelines of the state land management plan.

1312 ~~(6) The Board of Trustees of the Internal Improvement~~
 1313 ~~Trust Fund shall determine which lands, the title to which is~~
 1314 ~~vested in the board, may be surplused. For conservation lands,~~
 1315 ~~the board shall determine whether the lands are no longer needed~~
 1316 ~~for conservation purposes and may dispose of them by an~~
 1317 ~~affirmative vote of at least three members. In the case of a~~
 1318 ~~land exchange involving the disposition of conservation lands,~~
 1319 ~~the board must determine by an affirmative vote of at least~~
 1320 ~~three members that the exchange will result in a net positive~~
 1321 ~~conservation benefit. For all other lands, the board shall~~
 1322 ~~determine whether the lands are no longer needed and may dispose~~
 1323 ~~of them by an affirmative vote of at least three members.~~

1324 ~~(a) For the purposes of this subsection, all lands~~
 1325 ~~acquired by the state before July 1, 1999, using proceeds from~~
 1326 ~~Preservation 2000 bonds, the former Conservation and Recreation~~

1327 ~~Lands Trust Fund, the former Water Management Lands Trust Fund,~~
1328 ~~Environmentally Endangered Lands Program, and the Save Our Coast~~
1329 ~~Program and titled to the board which are identified as core~~
1330 ~~parcels or within original project boundaries are deemed to have~~
1331 ~~been acquired for conservation purposes.~~

1332 ~~(b) For any lands purchased by the state on or after July~~
1333 ~~1, 1999, before acquisition, the board must determine which~~
1334 ~~parcels must be designated as having been acquired for~~
1335 ~~conservation purposes. Lands acquired for use by the Department~~
1336 ~~of Corrections, the Department of Management Services for use as~~
1337 ~~state offices, the Department of Transportation, except those~~
1338 ~~specifically managed for conservation or recreation purposes, or~~
1339 ~~the State University System or the Florida College System may~~
1340 ~~not be designated as having been purchased for conservation~~
1341 ~~purposes.~~

1342 ~~(c) At least every 10 years, as a component of each land~~
1343 ~~management plan or land use plan and in a form and manner~~
1344 ~~prescribed by rule by the board, each manager shall evaluate and~~
1345 ~~indicate to the board those lands that are not being used for~~
1346 ~~the purpose for which they were originally leased. For~~
1347 ~~conservation lands, the council shall review and recommend to~~
1348 ~~the board whether such lands should be retained in public~~
1349 ~~ownership or disposed of by the board. For nonconservation~~
1350 ~~lands, the division shall review such lands and recommend to the~~
1351 ~~board whether such lands should be retained in public ownership~~
1352 ~~or disposed of by the board.~~

1353 ~~(d) Lands owned by the board which are not actively~~
 1354 ~~managed by any state agency or for which a land management plan~~
 1355 ~~has not been completed pursuant to subsection (5) must be~~
 1356 ~~reviewed by the council or its successor for its recommendation~~
 1357 ~~as to whether such lands should be disposed of by the board.~~

1358 ~~(e) Before any decision by the board to surplus lands, the~~
 1359 ~~Acquisition and Restoration Council shall review and make~~
 1360 ~~recommendations to the board concerning the request for~~
 1361 ~~surplusing. The council shall determine whether the request for~~
 1362 ~~surplusing is compatible with the resource values of and~~
 1363 ~~management objectives for such lands.~~

1364 ~~(f) In reviewing lands owned by the board, the council~~
 1365 ~~shall consider whether such lands would be more appropriately~~
 1366 ~~owned or managed by the county or other unit of local government~~
 1367 ~~in which the land is located. The council shall recommend to the~~
 1368 ~~board whether a sale, lease, or other conveyance to a local~~
 1369 ~~government would be in the best interests of the state and local~~
 1370 ~~government. The provisions of this paragraph in no way limit the~~
 1371 ~~provisions of ss. 253.111 and 253.115. Such lands shall be~~
 1372 ~~offered to the state, county, or local government for a period~~
 1373 ~~of 45 days. Permittable uses for such surplus lands may include~~
 1374 ~~public schools; public libraries; fire or law enforcement~~
 1375 ~~substations; governmental, judicial, or recreational centers;~~
 1376 ~~and affordable housing meeting the criteria of s. 420.0004(3).~~
 1377 ~~County or local government requests for surplus lands shall be~~
 1378 ~~expedited throughout the surplusing process. If the county or~~

1379 ~~local government does not elect to purchase such lands in~~
1380 ~~accordance with s. 253.111, any surplusing determination~~
1381 ~~involving other governmental agencies shall be made when the~~
1382 ~~board decides the best public use of the lands. Surplus~~
1383 ~~properties in which governmental agencies have expressed no~~
1384 ~~interest must then be available for sale on the private market.~~

1385 ~~(g) The sale price of lands determined to be surplus~~
1386 ~~pursuant to this subsection and s. 253.82 shall be determined by~~
1387 ~~the division, which shall consider an appraisal of the property,~~
1388 ~~or, if the estimated value of the land is \$500,000 or less, a~~
1389 ~~comparable sales analysis or a broker's opinion of value. The~~
1390 ~~division may require a second appraisal. The individual or~~
1391 ~~entity that requests to purchase the surplus parcel shall pay~~
1392 ~~all costs associated with determining the property's value, if~~
1393 ~~any.~~

1394 ~~1. A written valuation of land determined to be surplus~~
1395 ~~pursuant to this subsection and s. 253.82, and related documents~~
1396 ~~used to form the valuation or which pertain to the valuation,~~
1397 ~~are confidential and exempt from s. 119.07(1) and s. 24(a), Art.~~
1398 ~~I of the State Constitution.~~

1399 ~~a. The exemption expires 2 weeks before the contract or~~
1400 ~~agreement regarding the purchase, exchange, or disposal of the~~
1401 ~~surplus land is first considered for approval by the board.~~

1402 ~~b. Before expiration of the exemption, the division may~~
1403 ~~disclose confidential and exempt appraisals, valuations, or~~
1404 ~~valuation information regarding surplus land:~~

1405 ~~(I) During negotiations for the sale or exchange of the~~
1406 ~~land.~~

1407 ~~(II) During the marketing effort or bidding process~~
1408 ~~associated with the sale, disposal, or exchange of the land to~~
1409 ~~facilitate closure of such effort or process.~~

1410 ~~(III) When the passage of time has made the conclusions of~~
1411 ~~value invalid.~~

1412 ~~(IV) When negotiations or marketing efforts concerning the~~
1413 ~~land are concluded.~~

1414 ~~2. A unit of government that acquires title to lands~~
1415 ~~hereunder for less than appraised value may not sell or transfer~~
1416 ~~title to all or any portion of the lands to any private owner~~
1417 ~~for 10 years. Any unit of government seeking to transfer or sell~~
1418 ~~lands pursuant to this paragraph must first allow the board of~~
1419 ~~trustees to reacquire such lands for the price at which the~~
1420 ~~board sold such lands.~~

1421 ~~(h) Parcels with a market value over \$500,000 must be~~
1422 ~~initially offered for sale by competitive bid. The division may~~
1423 ~~use agents, as authorized by s. 253.431, for this process. Any~~
1424 ~~parcels unsuccessfully offered for sale by competitive bid, and~~
1425 ~~parcels with a market value of \$500,000 or less, may be sold by~~
1426 ~~any reasonable means, including procuring real estate services,~~
1427 ~~open or exclusive listings, competitive bid, auction, negotiated~~
1428 ~~direct sales, or other appropriate services, to facilitate the~~
1429 ~~sale.~~

1430 ~~(i) After reviewing the recommendations of the council,~~

1431 ~~the board shall determine whether lands identified for surplus~~
1432 ~~are to be held for other public purposes or are no longer~~
1433 ~~needed. The board may require an agency to release its interest~~
1434 ~~in such lands. A state agency, county, or local government that~~
1435 ~~has requested the use of a property that was to be declared as~~
1436 ~~surplus must secure the property under lease within 90 days~~
1437 ~~after being notified that it may use such property.~~

1438 ~~(j) Requests for surplusizing may be made by any public or~~
1439 ~~private entity or person. All requests shall be submitted to the~~
1440 ~~lead managing agency for review and recommendation to the~~
1441 ~~council or its successor. Lead managing agencies have 90 days to~~
1442 ~~review such requests and make recommendations. Any surplusizing~~
1443 ~~requests that have not been acted upon within the 90-day time~~
1444 ~~period shall be immediately scheduled for hearing at the next~~
1445 ~~regularly scheduled meeting of the council or its successor.~~
1446 ~~Requests for surplusizing pursuant to this paragraph are not~~
1447 ~~required to be offered to local or state governments as provided~~
1448 ~~in paragraph (f).~~

1449 ~~(k) Proceeds from the sale of surplus conservation lands~~
1450 ~~purchased before July 1, 2015, shall be deposited into the~~
1451 ~~Florida Forever Trust Fund.~~

1452 ~~(l) Proceeds from the sale of surplus conservation lands~~
1453 ~~purchased on or after July 1, 2015, shall be deposited into the~~
1454 ~~Land Acquisition Trust Fund, except when such lands were~~
1455 ~~purchased with funds other than those from the Land Acquisition~~
1456 ~~Trust Fund or a land acquisition trust fund created to implement~~

1457 ~~s. 28, Art. X of the State Constitution, the proceeds shall be~~
 1458 ~~deposited into the fund from which the lands were purchased.~~

1459 ~~(m) Funds received from the sale of surplus~~
 1460 ~~nonconservation lands or lands that were acquired by gift, by~~
 1461 ~~donation, or for no consideration shall be deposited into the~~
 1462 ~~Internal Improvement Trust Fund.~~

1463 ~~(n) Notwithstanding this subsection, such disposition of~~
 1464 ~~land may not be made if it would have the effect of causing all~~
 1465 ~~or any portion of the interest on any revenue bonds issued to~~
 1466 ~~lose the exclusion from gross income for federal income tax~~
 1467 ~~purposes.~~

1468 ~~(o) The sale of filled, formerly submerged land that does~~
 1469 ~~not exceed 5 acres in area is not subject to review by the~~
 1470 ~~council or its successor.~~

1471 ~~(p) The board may adopt rules to administer this section~~
 1472 ~~which may include procedures for administering surplus land~~
 1473 ~~requests and criteria for when the division may approve requests~~
 1474 ~~to surplus nonconservation lands on behalf of the board.~~

1475 ~~(6)(7) This section does shall not be construed so as to~~
 1476 ~~affect:~~

1477 (a) Other provisions of this chapter relating to oil, gas,
 1478 or mineral resources.

1479 (b) The exclusive use of state-owned land subject to a
 1480 lease by the board of trustees ~~of the Internal Improvement Trust~~
 1481 ~~Fund~~ of state-owned land for private uses and purposes.

1482 (c) Sovereignty lands not leased for private uses and

1483 purposes.

1484 (7)~~(8)~~ (a) The Legislature recognizes the value of the
1485 state's conservation lands as water recharge areas and air
1486 filters.

1487 (b) If state-owned lands are subject to annexation
1488 procedures, the Division of State Lands must notify the county
1489 legislative delegation of the county in which the land is
1490 located.

1491 (8)~~(9)~~ Land management plans required to be submitted by
1492 the Department of Corrections, the Department of Juvenile
1493 Justice, the Department of Children and Families, or the
1494 Department of Education are not subject to ~~the provisions for~~
1495 review by the Acquisition and Restoration Council ~~or its~~
1496 ~~successor described in subsection (5)~~. Management plans filed by
1497 these agencies shall be made available to the public for a
1498 period of 90 days at the administrative offices of the parcel or
1499 project affected by the management plan and at the Tallahassee
1500 offices of each agency. Any plans not objected to during the
1501 public comment period shall be deemed approved. Any plans for
1502 which an objection is filed shall be submitted to the board of
1503 trustees ~~of the Internal Improvement Trust Fund~~ for
1504 consideration. The board of trustees ~~of the Internal Improvement~~
1505 ~~Trust Fund~~ shall approve the plan with or without modification,
1506 or reject the plan. The use or possession of any such lands
1507 which is not in accordance with an approved land management plan
1508 is subject to termination by the board of trustees.

1509 (9) ~~(10)~~ The following additional uses of conservation
 1510 lands acquired pursuant to the Florida Forever program and other
 1511 state-funded conservation land purchase programs shall be
 1512 authorized, upon a finding by the board of trustees, if they
 1513 meet the criteria specified in paragraphs (a)-(e): water
 1514 resource development projects, water supply development
 1515 projects, stormwater management projects, linear facilities, and
 1516 sustainable agriculture and forestry. Such additional uses are
 1517 authorized if ~~where~~:

1518 (a) The use is not inconsistent with the management plan
 1519 for such lands;

1520 (b) The use is compatible with the natural ecosystem and
 1521 resource values of such lands;

1522 (c) The ~~proposed~~ use is appropriately located on such
 1523 lands and if ~~where~~ due consideration is given to the use of
 1524 other available lands;

1525 (d) The using entity reasonably compensates the
 1526 titleholder for such use based upon an appropriate measure of
 1527 value; and

1528 (e) The use is consistent with the public interest.

1529
 1530 A decision by the board of trustees pursuant to this section
 1531 shall be given a presumption of correctness. Moneys received
 1532 from the use of state lands pursuant to this section shall be
 1533 returned to the lead managing entity in accordance with s.
 1534 259.032 (9) (c) .

1535 (10)~~(11)~~ Lands listed as projects for acquisition may be
1536 managed for conservation pursuant to s. 259.032, on an interim
1537 basis by a private party in anticipation of a state purchase in
1538 accordance with a contractual arrangement between the acquiring
1539 agency and the private party that may include management service
1540 contracts, leases, cost-share arrangements or resource
1541 conservation agreements. Lands designated as eligible under this
1542 subsection shall be managed to maintain or enhance the resources
1543 the state is seeking to protect by acquiring the land. Funding
1544 for these contractual arrangements may originate from the
1545 documentary stamp tax revenue deposited into the Land
1546 Acquisition Trust Fund. No more than \$6.2 million may be
1547 expended from the Land Acquisition Trust Fund for this purpose.

1548 (11)~~(12)~~ Any lands available to governmental employees,
1549 including water management district employees, for hunting or
1550 other recreational purposes shall also be made available to the
1551 general public for such purposes.

1552 ~~(13) Before a building or parcel of land is offered for~~
1553 ~~lease or sale to a local or federal unit of government or a~~
1554 ~~private party, it shall first be offered for lease to state~~
1555 ~~agencies, state universities, and Florida College System~~
1556 ~~institutions, with priority consideration given to state~~
1557 ~~universities and Florida College System institutions. Within 60~~
1558 ~~days after the offer for lease of a surplus building or parcel,~~
1559 ~~a state university or Florida College System institution that~~
1560 ~~requests the lease must submit a plan for review and approval by~~

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1561 ~~the Board of Trustees of the Internal Improvement Trust Fund~~
1562 ~~regarding the intended use, including future use, of the~~
1563 ~~building or parcel of land before approval of a lease. Within 60~~
1564 ~~days after the offer for lease of a surplus building or parcel,~~
1565 ~~a state agency that requests the lease of such facility or~~
1566 ~~parcel must submit a plan for review and approval by the board~~
1567 ~~of trustees regarding the intended use. The state agency plan~~
1568 ~~must, at a minimum, include the proposed use of the facility or~~
1569 ~~parcel, the estimated cost of renovation, a capital improvement~~
1570 ~~plan for the building, evidence that the building or parcel~~
1571 ~~meets an existing need that cannot otherwise be met, and other~~
1572 ~~criteria developed by rule by the board of trustees. The board~~
1573 ~~or its designee shall compare the estimated value of the~~
1574 ~~building or parcel to any submitted business plan to determine~~
1575 ~~if the lease or sale is in the best interest of the state. The~~
1576 ~~board of trustees shall adopt rules pursuant to chapter 120 for~~
1577 ~~the implementation of this section.~~

1578 Section 6. Section 253.0341, Florida Statutes, is amended
1579 to read:

1580 253.0341 Surplus of state-owned lands ~~to counties or local~~
1581 ~~governments. Counties and local governments may submit~~
1582 ~~surplus requests for state-owned lands directly to the board~~
1583 ~~of trustees. County or local government requests for the state~~
1584 ~~to surplus conservation or nonconservation lands, whether for~~
1585 ~~purchase or exchange, shall be expedited throughout the~~
1586 ~~surplus process. Property jointly acquired by the state and~~

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1587 ~~other entities shall not be surplusd without the consent of all~~
1588 ~~joint owners.~~

1589 (1) The board of trustees shall determine which lands, the
1590 title to which is vested in the board, may be surplusd. For all
1591 conservation lands, the Acquisition and Restoration Council
1592 shall make a recommendation to the board of trustees, and the
1593 board of trustees shall determine whether the lands are no
1594 longer needed for conservation purposes. If the board of
1595 trustees determines the lands are no longer needed for
1596 conservation purposes, it may dispose of such lands by an
1597 affirmative vote of at least three members. In the case of a
1598 land exchange involving the disposition of conservation lands,
1599 the board of trustees must determine by an affirmative vote of
1600 at least three members that the exchange will result in a net
1601 positive conservation benefit. For all nonconservation lands,
1602 the board of trustees shall determine whether the lands are no
1603 longer needed. If the board of trustees determines the lands are
1604 no longer needed, it may dispose of such lands by an affirmative
1605 vote of at least three members. Local government requests for
1606 the state to surplus conservation or nonconservation lands,
1607 whether for purchase or exchange, shall be expedited throughout
1608 the surplusing process. Property jointly acquired by the state
1609 and other entities may not be surplusd without the consent of
1610 all joint owners ~~The decision to surplus state-owned~~
1611 ~~nonconservation lands may be made by the board without a review~~
1612 ~~of, or a recommendation on, the request from the Acquisition and~~

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1613 ~~Restoration Council or the Division of State Lands. Such~~
1614 ~~requests for nonconservation lands shall be considered by the~~
1615 ~~board within 60 days of the board's receipt of the request.~~

1616 (2) For purposes of this section, all lands acquired by
1617 the state before July 1, 1999, using proceeds from Preservation
1618 2000 bonds, the former Conservation and Recreation Lands Trust
1619 Fund, the former Water Management Lands Trust Fund,
1620 Environmentally Endangered Lands Program, and the Save Our Coast
1621 Program and titled to the board of trustees which are identified
1622 as core parcels or within original project boundaries are deemed
1623 to have been acquired for conservation purposes ~~County or local~~
1624 ~~government requests for the surplus of state-owned~~
1625 ~~conservation lands are subject to review of, and recommendation~~
1626 ~~on, the request to the board by the Acquisition and Restoration~~
1627 ~~Council. Requests to surplus conservation lands shall be~~
1628 ~~considered by the board within 120 days of the board's receipt~~
1629 ~~of the request.~~

1630 (3) For any lands purchased by the state on or after July
1631 1, 1999, before acquisition, the board of trustees must
1632 determine which parcels must be designated as having been
1633 acquired for conservation purposes. Lands acquired for use by
1634 the Department of Corrections; the Department of Management
1635 Services for use as state offices; the Department of
1636 Transportation, except those lands specifically managed for
1637 conservation or recreation purposes; the State University
1638 System; or the Florida College System may not be designated as

1639 having been acquired for conservation purposes ~~A local~~
1640 ~~government may request that state lands be specifically declared~~
1641 ~~surplus lands for the purpose of providing alternative water~~
1642 ~~supply and water resource development projects as defined in s.~~
1643 ~~373.019, public facilities such as schools, fire and police~~
1644 ~~facilities, and affordable housing. The request shall comply~~
1645 ~~with the requirements of subsection (1) if the lands are~~
1646 ~~nonconservation lands or subsection (2) if the lands are~~
1647 ~~conservation lands. Surplus lands that are conveyed to a local~~
1648 ~~government for affordable housing shall be disposed of by the~~
1649 ~~local government under the provisions of s. 125.379 or s.~~
1650 ~~166.0451.~~

1651 (4) (a) At least every 10 years, as a component of each
1652 land management plan or land use plan and in a form and manner
1653 adopted by rule of the board of trustees, each manager shall
1654 evaluate and indicate to the board of trustees those lands that
1655 are not being used for the purpose for which they were
1656 originally leased. For conservation lands, the Acquisition and
1657 Restoration Council shall review and recommend to the board of
1658 trustees whether such lands should be retained in public
1659 ownership or disposed of by the board of trustees. For
1660 nonconservation lands, the Division of State Lands shall review
1661 and recommend to the board of trustees whether such lands should
1662 be retained in public ownership or disposed of by the board of
1663 trustees ~~Notwithstanding the requirements of this section and~~
1664 ~~the requirements of s. 253.034 which provides a surplus process~~

1665 ~~for the disposal of state lands, the board shall convey to~~
1666 ~~Miami-Dade County title to the property on which the Graham~~
1667 ~~Building, which houses the offices of the Miami-Dade State~~
1668 ~~Attorney, is located. By January 1, 2008, the board shall convey~~
1669 ~~fee simple title to the property to Miami-Dade County for a~~
1670 ~~consideration of one dollar. The deed conveying title to Miami-~~
1671 ~~Dade County must contain restrictions that limit the use of the~~
1672 ~~property for the purpose of providing workforce housing as~~
1673 ~~defined in s. 420.5095, and to house the offices of the Miami-~~
1674 ~~Dade State Attorney. Employees of the Miami-Dade State Attorney~~
1675 ~~and the Miami-Dade Public Defender who apply for and meet the~~
1676 ~~income qualifications for workforce housing shall receive~~
1677 ~~preference over other qualified applicants.~~

1678 (b) At least every 10 years, the Division of State Lands
1679 shall review all state-owned conservation lands titled to the
1680 board of trustees to determine whether any such lands are no
1681 longer needed for conservation purposes and could be disposed of
1682 in fee simple or with the state retaining a permanent
1683 conservation easement. After such review, the division shall
1684 submit a list of such lands, including additional conservation
1685 lands identified in an updated land management plan pursuant to
1686 s. 253.034(5), to the Acquisition and Restoration Council.
1687 Within 9 months after receiving the list, the council shall
1688 provide recommendations to the board of trustees as to whether
1689 any such lands are no longer needed for conservation purposes
1690 and could be disposed of in fee simple or with the state

1691 retaining a permanent conservation easement. After reviewing
1692 such list and considering such recommendations, if the board of
1693 trustees determines by an affirmative vote of at least three
1694 members that any such lands are no longer needed for
1695 conservation purposes, the board of trustees shall dispose of
1696 the lands in fee simple or with the state retaining a permanent
1697 conservation easement.

1698 (c) At least every 10 years, the Division of State Lands
1699 shall review all encumbered and unencumbered nonconservation
1700 lands titled to the board of trustees and recommend to the board
1701 of trustees whether any such lands should be retained in public
1702 ownership or disposed of by the board of trustees. The board of
1703 trustees may dispose of nonconservation lands under this
1704 paragraph by a majority vote of the members.

1705 (5) Conservation lands owned by the board of trustees
1706 which are not actively managed by any state agency or for which
1707 a land management plan has not been completed pursuant to s.
1708 253.034(5) must be reviewed by the Acquisition and Restoration
1709 Council for its recommendation as to whether such lands should
1710 be disposed of by the board of trustees.

1711 (6) Before any decision by the board of trustees to
1712 surplus conservation lands, the Acquisition and Restoration
1713 Council shall review and make recommendations to the board of
1714 trustees concerning the request for surplusings. The council
1715 shall determine whether the request for surplusings is compatible
1716 with the resource values of and management objectives for such

1717 lands.

1718 (7) In reviewing conservation lands owned by the board of
 1719 trustees, the Acquisition and Restoration Council shall consider
 1720 whether such lands would be more appropriately owned or managed
 1721 by the county or other unit of local government in which the
 1722 land is located. The council shall recommend to the board of
 1723 trustees whether a sale, lease, or other conveyance to a local
 1724 government would be in the best interests of the state and local
 1725 government. This subsection does not limit the provisions of ss.
 1726 253.111 and 253.115. If the county or local government does not
 1727 elect to purchase such lands in accordance with s. 253.111, any
 1728 surplusing determination involving other governmental agencies
 1729 shall be made when the board of trustees decides the best public
 1730 use of the lands. Surplus properties in which governmental
 1731 agencies have not expressed interest must then be available for
 1732 sale on the private market.

1733 (8) Before a facility or parcel of nonconservation land is
 1734 offered for lease or sale to a local or federal unit of
 1735 government or a private party, it shall first be offered for
 1736 lease to state agencies, state universities, and Florida College
 1737 System institutions, with priority consideration given to state
 1738 universities and Florida College System institutions. Within 45
 1739 days after the offer for lease of a surplus building or parcel,
 1740 a state agency, state university, or Florida College System
 1741 institution that requests the lease must submit a plan to the
 1742 board of trustees that includes a description of the proposed

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1743 use, including future use, of the building or parcel of land.
1744 The board of trustees must review and approve the plan before
1745 approving the lease. The state agency plan must, at a minimum,
1746 include the proposed use of the facility or parcel, the
1747 estimated cost of renovation, a capital improvement plan for the
1748 building, evidence that the building or parcel meets an existing
1749 need that cannot otherwise be met, and other criteria adopted by
1750 rule of the board of trustees. The board of trustees or its
1751 designee shall compare the estimated value of the facility or
1752 parcel to any submitted business plan to determine if the lease
1753 or sale is in the best interest of the state. The board of
1754 trustees shall adopt rules pursuant to chapter 120 to implement
1755 this section. A state agency or local government that has
1756 requested the use of a property that was to be declared as
1757 surplus must secure the property with a fully executed lease
1758 within 90 days after being notified that it may use such
1759 property or the request is voidable.

1760 (9) The sale price of lands determined to be surplus
1761 pursuant to this section and s. 253.82 shall be determined by
1762 the Division of State Lands, which shall consider an appraisal
1763 of the property or, if the estimated value of the land is
1764 \$500,000 or less, a comparable sales analysis or a broker's
1765 opinion of value. The division may require a second appraisal.
1766 The individual or entity that requests to purchase the surplus
1767 parcel shall pay all costs associated with determining the
1768 property's value, if any.

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1769 (a) A written valuation of land determined to be surplus
1770 pursuant to this section and s. 253.82, and related documents
1771 used to form the valuation or which pertain to the valuation,
1772 are confidential and exempt from s. 119.07(1) and s. 24(a), Art.
1773 I of the State Constitution.

1774 1. The exemption expires 2 weeks before the contract or
1775 agreement regarding the purchase, exchange, or disposal of the
1776 surplus land is first considered for approval by the board of
1777 trustees.

1778 2. Before expiration of the exemption, the Division of
1779 State Lands may disclose confidential and exempt appraisals,
1780 valuations, or valuation information regarding surplus land:

1781 a. During negotiations for the sale or exchange of the
1782 land;

1783 b. During the marketing effort or bidding process
1784 associated with the sale, disposal, or exchange of the land to
1785 facilitate closure of such effort or process;

1786 c. When the passage of time has made the conclusions of
1787 value invalid; or

1788 d. When negotiations or marketing efforts concerning the
1789 land are concluded.

1790 (b) A unit of government that acquires title to lands
1791 pursuant to this section for less than appraised value may not
1792 sell or transfer title to all or any portion of the lands to any
1793 private owner for 10 years. A unit of government seeking to
1794 transfer or sell lands pursuant to this paragraph must first

1795 allow the board of trustees to reacquire such lands for the
1796 price at which the board of trustees sold such lands.

1797 (10) Parcels with a market value over \$500,000 must be
1798 initially offered for sale by competitive bid. Any parcels
1799 unsuccessfully offered for sale by competitive bid, and parcels
1800 with a market value of \$500,000 or less, may be sold by any
1801 reasonable means, including procuring real estate services, open
1802 or exclusive listings, competitive bid, auction, negotiated
1803 direct sales, or other appropriate services, to facilitate the
1804 sale.

1805 (11) After reviewing the recommendations of the
1806 Acquisition and Restoration Council, the board of trustees shall
1807 determine whether conservation lands identified for surplus
1808 should be held for other public purposes or are no longer
1809 needed. The board of trustees may require an agency to release
1810 its interest in such lands. A state entity, state agency, local
1811 government, or state university or Florida College System
1812 institution that has requested the use of a property that was to
1813 be declared as surplus must secure the property under a fully
1814 executed lease within 90 days after being notified that it may
1815 use such property or the request is voidable.

1816 (12) Requests to surplus lands may be made by any public
1817 or private entity or person and shall be determined by the board
1818 of trustees. All requests to surplus conservation lands shall be
1819 submitted to the lead managing agency for review and
1820 recommendation to the Acquisition and Restoration Council, and

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1821 all requests to surplus nonconservation lands shall be submitted
1822 to the Division of State Lands for review and recommendation to
1823 the board of trustees. The lead managing agencies shall review
1824 such requests and make recommendations to the council within 90
1825 days after receipt of the requests. Any requests to surplus
1826 conservation lands that are not acted upon within the 90-day
1827 period shall be immediately scheduled for hearing at the next
1828 regularly scheduled meeting of the council. Requests to surplus
1829 lands shall be considered by the board of trustees within 60
1830 days after receipt of the requests from the council or division.
1831 Requests to surplus lands pursuant to this subsection are not
1832 required to be offered to local or state governments as provided
1833 in subsection (7) or subsection (8).

1834 (13) Proceeds from the sale of surplus conservation lands
1835 purchased before July 1, 2015, shall be deposited into the
1836 Florida Forever Trust Fund.

1837 (14) Proceeds from the sale of surplus conservation lands
1838 purchased on or after July 1, 2015, shall be deposited into the
1839 Land Acquisition Trust Fund, except when such lands were
1840 purchased with funds other than those from the Land Acquisition
1841 Trust Fund or a land acquisition trust fund created to implement
1842 s. 28, Art. X of the State Constitution, the proceeds shall be
1843 deposited into the fund from which the lands were purchased.

1844 (15) Funds received from the sale of surplus
1845 nonconservation lands or lands that were acquired by gift, by
1846 donation, or for no consideration shall be deposited into the

1847 Internal Improvement Trust Fund.

1848 (16) Notwithstanding this section, such disposition of
 1849 land may not be made if it would have the effect of causing all
 1850 or any portion of the interest on any revenue bonds issued to
 1851 lose the exclusion from gross income for federal income tax
 1852 purposes.

1853 (17) The sale of filled, formerly submerged land that does
 1854 not exceed 5 acres in area is not subject to review by the
 1855 Acquisition and Restoration Council.

1856 (18) The board of trustees may adopt rules to administer
 1857 this section, including procedures for administering surplus
 1858 land requests and criteria for when the Division of State Lands
 1859 may approve requests to surplus nonconservation lands on behalf
 1860 of the board of trustees.

1861 (19) Surplus lands that are conveyed to a local government
 1862 for affordable housing shall be disposed of by the local
 1863 government under s. 125.379 or s. 166.0451.

1864 Section 7. Section 253.111, Florida Statutes, is amended
 1865 to read:

1866 253.111 Notice to county and municipality ~~board of county~~
 1867 ~~commissioners~~ before sale.—The Board of Trustees of the Internal
 1868 Improvement Trust Fund ~~of the state~~ may not sell any land to
 1869 which it holds ~~they hold~~ title unless and until it affords ~~they~~
 1870 ~~afford~~ an opportunity to the county and municipality in which
 1871 such land is situated to receive such land on the following
 1872 terms and conditions:

1873 (1) If a request ~~an application~~ is filed with the Division
 1874 of State Lands ~~board~~ requesting that the board of trustees ~~they~~
 1875 sell certain land to which it holds ~~they hold~~ title and the
 1876 board of trustees decides to sell such land or if the board of
 1877 trustees, without such request ~~application~~, decides to sell such
 1878 land, the board of trustees shall, before consideration of any
 1879 private offers, notify the governing body ~~board of county~~
 1880 ~~commissioners~~ of the county and municipality in which such land
 1881 is situated that such land is available to such county and
 1882 municipality. Such notification shall be given by registered or
 1883 express mail, return receipt requested, any commercial delivery
 1884 service requiring a signed receipt, or electronic notification
 1885 with return receipt.

1886 (2) The governing bodies ~~board of county commissioners~~ of
 1887 the county and municipality in which such land is situated shall
 1888 ~~each~~, within 40 days after receipt of such notification from the
 1889 ~~board~~, determine by resolution whether ~~or not~~ it proposes to
 1890 acquire such land.

1891 (3) If the board of trustees receives, within 45 days
 1892 after notice is given to the governing bodies of the county and
 1893 municipality ~~board of county commissioners~~ pursuant to
 1894 subsection (1), the certified copy of the resolution provided
 1895 for in subsection (2), the board of trustees shall ~~forthwith~~
 1896 convey to the county or municipality such land at a price that
 1897 is equal to its ~~appraised~~ market value based on, at the
 1898 discretion of the Division of State Lands, an appraisal, a

1899 comparable sales analysis, or a broker's opinion of value
 1900 ~~established by generally accepted professional standards for~~
 1901 ~~real estate appraisal~~ and subject to such other terms and
 1902 conditions as the board of trustees determines. If a parcel is
 1903 located within a municipality, priority consideration shall be
 1904 given to the municipality over the county.

1905 (4) ~~Nothing in~~ This section does not restrict ~~restricts~~
 1906 any right otherwise granted to the board of trustees by this
 1907 chapter to convey land to which it holds ~~they hold~~ title to the
 1908 state or any department, office, authority, board, bureau,
 1909 commission, institution, court, tribunal, agency, or other
 1910 instrumentality of or under the state. For purposes of this
 1911 section, the term ~~word~~ "land" ~~as used in this act~~ means all
 1912 lands vested in the Board of Trustees of the Internal
 1913 Improvement Trust Fund.

1914 (5) If any riparian owner exists with respect to any land
 1915 to be sold by the board of trustees, such riparian owner shall
 1916 have a right to secure such land, which right is prior in
 1917 interest to the right in the county and municipality created by
 1918 this section, provided that such riparian owner shall be
 1919 required to pay for such land upon such prices, terms, and
 1920 conditions as determined by the board of trustees. Such riparian
 1921 owner may waive this prior right, in which case this section
 1922 shall apply.

1923 (6) This section does not apply to:

1924 (a) Any land exchange approved by the board of trustees;

1925 (b) The conveyance of any lands located within the
 1926 Everglades Agricultural Area; or
 1927 (c) Lands managed pursuant to ss. 253.781-253.785.
 1928 Section 8. Section 253.42, Florida Statutes, is amended to
 1929 read:

1930 253.42 Board of trustees may exchange lands.—~~The~~
 1931 ~~provisions of~~ This section applies ~~apply~~ to all lands owned by,
 1932 vested in, or titled in the name of the board of trustees
 1933 whether the lands were acquired by the state as a purchase, or
 1934 through gift, donation, or any other conveyance for which no
 1935 consideration was paid.

1936 (1) The board of trustees may exchange any lands owned by,
 1937 vested in, or titled in its ~~the~~ name ~~of the board~~ for other
 1938 lands in the state owned by counties, local governments,
 1939 individuals, or private or public corporations, and may fix the
 1940 terms and conditions of any such exchange. Any nonconservation
 1941 lands that were acquired by the state through gift, donation, or
 1942 any other conveyance for which no consideration was paid must
 1943 first be offered at no cost to a county or local government
 1944 unless otherwise provided in a deed restriction of record or
 1945 other legal impediment, and so long as the use proposed by the
 1946 county or local government is for a public purpose. For
 1947 conservation lands acquired by the state through gift, donation,
 1948 or any other conveyance for which no consideration was paid, the
 1949 state may request land of equal conservation value from the
 1950 county or local government but no other consideration.

1951 (2) In exchanging state-owned lands not acquired by the
 1952 state through gift, donation, or any other conveyance for which
 1953 no consideration was paid, with counties or local governments,
 1954 the board of trustees shall require an exchange of equal value.
 1955 Equal value is defined as the conservation benefit of the lands
 1956 being offered for exchange by a county or local government being
 1957 equal or greater in conservation benefit than the state-owned
 1958 lands. Such exchanges may include cash transactions if based on
 1959 an appropriate measure of value of the state-owned land, but
 1960 must also include the determination of a net-positive
 1961 conservation benefit by the Acquisition and Restoration Council,
 1962 irrespective of appraised value.

1963 (3) The board of trustees shall select and agree upon the
 1964 state lands to be exchanged and the lands to be conveyed to the
 1965 state and shall pay or receive any sum of money the board of
 1966 trustees deems ~~deemed~~ necessary ~~by the board~~ for the purpose of
 1967 equalizing the value of the exchanged property. The board of
 1968 trustees is authorized to make and enter into contracts or
 1969 agreements for such purpose or purposes.

1970 (4) (a) A person who owns land contiguous to state-owned
 1971 land titled to the board of trustees may submit a request to the
 1972 Division of State Lands to exchange all or a portion of the
 1973 privately owned land for all or a portion of the state-owned
 1974 land, whereby the state retains a permanent conservation
 1975 easement over all or a portion of the exchanged state-owned land
 1976 and a permanent conservation easement over all or a portion of

1977 the exchanged privately owned land. State-owned land exchanged
 1978 pursuant to this subsection shall be contiguous to the privately
 1979 owned land upon which the state retains a permanent conservation
 1980 easement. The division may submit such request to the
 1981 Acquisition and Restoration Council for review. If the division
 1982 submits a request to the council, the council shall provide
 1983 recommendations to the division. After receiving the council's
 1984 recommendations, the division shall review the request and the
 1985 council's recommendations and may provide recommendations to the
 1986 board of trustees. This subsection does not apply to state-owned
 1987 sovereign submerged land.

1988 (b) After receiving a request and the division's
 1989 recommendations, the board of trustees shall consider such
 1990 request and recommendations and may approve the request if:

1991 1. At least 30 percent of the perimeter of the privately
 1992 owned land is bordered by state-owned land and the exchange does
 1993 not create an inholding.

1994 2. The approval does not result in a violation of the
 1995 terms of a preexisting lease or agreement by the board of
 1996 trustees, the Department of Environmental Protection, the
 1997 Department of Agriculture and Consumer Services, or the Fish and
 1998 Wildlife Conservation Commission.

1999 3. For state-owned land purchased for conservation
 2000 purposes, the board of trustees makes a determination that the
 2001 exchange of land under this subsection will result in a positive
 2002 conservation benefit.

2003 4. The approval does not conflict with any existing
 2004 flowage easement.

2005 5. The request is approved by three or more members of the
 2006 board of trustees.

2007 (c) Special consideration shall be given to a request that
 2008 maintains public access for any recreational purpose allowed on
 2009 the state-owned land at the time the request is submitted to the
 2010 board of trustees. A person who maintains public access pursuant
 2011 to this paragraph is entitled to the limitation on liability
 2012 provided in s. 375.251.

2013 (d) Land subject to a permanent conservation easement
 2014 granted pursuant to this subsection is subject to inspection by
 2015 the Department of Environmental Protection to ensure compliance
 2016 with the terms of the permanent conservation easement.

2017 Section 9. Subsection (2) of section 253.782, Florida
 2018 Statutes, is amended to read:

2019 253.782 Retention of state-owned lands in and around Lake
 2020 Rousseau and the Cross Florida Barge Canal right-of-way from
 2021 Lake Rousseau west to the Withlacoochee River.—

2022 (2) The Department of Environmental Protection is
 2023 authorized ~~and directed~~ to retain ownership of and maintain all
 2024 lands or interests in land owned by the Board of Trustees of the
 2025 Internal Improvement Trust Fund, including all fee and less-
 2026 than-fee interests in lands previously owned by the canal
 2027 authority in Lake Rousseau and the Cross Florida Barge Canal
 2028 right-of-way from Lake Rousseau at U.S. Highway 41 west to and

2029 including the Withlacoochee River.

2030 Section 10. Section 253.7821, Florida Statutes, is amended
2031 to read:

2032 253.7821 Cross Florida Greenways State Recreation and
2033 Conservation Area assigned to the Department of Environmental
2034 Protection ~~Office of the Executive Director.~~—The Cross Florida
2035 Greenways State Recreation and Conservation Area is ~~hereby~~
2036 established and ~~is initially~~ assigned to the department ~~Office~~
2037 ~~of Greenways Management within the Office of the Secretary.~~ The
2038 department ~~office~~ shall manage the greenways pursuant to the
2039 department's existing statutory authority until administrative
2040 rules are adopted by the department. However, the provisions of
2041 this act shall control in any conflict between this act and any
2042 other authority of the department.

2043 Section 11. Section 253.87, Florida Statutes, is created
2044 to read:

2045 253.87 Inventory of state, federal, and local government
2046 conservation lands by the Department of Environmental
2047 Protection.—

2048 (1) By July 1, 2018, the department shall include in the
2049 Florida State-Owned Lands and Records Information System (FL-
2050 SOLARIS) database all federally owned conservation lands, all
2051 lands on which the Federal Government retains a permanent
2052 conservation easement, and all lands on which the state retains
2053 a permanent conservation easement. The department shall update
2054 the database at least every 5 years.

2055 (2) By July 1, 2018, for counties and municipalities, and
 2056 by July 1, 2019, for financially disadvantaged small
 2057 communities, as defined in s. 403.1838, and at least every 5
 2058 years thereafter, respectively, each county, municipality, and
 2059 financially disadvantaged small community shall identify all
 2060 conservation lands that it owns in fee simple and all lands on
 2061 which it retains a permanent conservation easement and submit,
 2062 in a manner determined by the department, a list of such lands
 2063 to the department. Within 6 months after receiving such list,
 2064 the department shall add such lands to the FL-SOLARIS database.

2065 (3) By January 1, 2018, the department shall conduct a
 2066 study and submit a report to the Governor, the President of the
 2067 Senate, and the Speaker of the House of Representatives on the
 2068 technical and economic feasibility of including the following
 2069 lands in the FL-SOLARIS database or a similar public lands
 2070 inventory:

2071 (a) All lands on which local comprehensive plans, land use
 2072 restrictions, zoning ordinances, or land development regulations
 2073 prohibit the land from being developed or limit the amount of
 2074 development to one unit per 40 or more acres.

2075 (b) All publicly and privately owned lands for which
 2076 development rights have been transferred.

2077 (c) All privately owned lands under a permanent
 2078 conservation easement.

2079 (d) All lands owned by a nonprofit or nongovernmental
 2080 organization for conservation purposes.

2081 (e) All lands that are part of a mitigation bank.
 2082 Section 12. Section 259.01, Florida Statutes, is amended
 2083 to read:
 2084 259.01 Short title.—This chapter shall be known and may be
 2085 cited as the "Land Conservation Program Act ~~of 1972.~~"
 2086 Section 13. Section 259.02, Florida Statutes, is repealed.
 2087 Section 14. Section 259.03, Florida Statutes, is amended
 2088 to read:
 2089 259.03 Definitions.—~~As The following terms and phrases~~
 2090 ~~when used in this chapter, the term shall have the meanings~~
 2091 ~~ascribed to them in this section, except where the context~~
 2092 ~~clearly indicates a different meaning:~~
 2093 (1) "Council" means the Acquisition and Restoration ~~that~~
 2094 Council established pursuant to s. 259.035.
 2095 (2) "Board" means the Governor and Cabinet, sitting as the
 2096 Board of Trustees of the Internal Improvement Trust Fund.
 2097 (3) "Capital improvement" or "capital project expenditure"
 2098 means those activities relating to the acquisition, restoration,
 2099 public access, and recreational uses of such lands, water areas,
 2100 and related resources deemed necessary to accomplish the
 2101 purposes of this chapter. Eligible activities include, but are
 2102 not limited to: the initial removal of invasive plants; the
 2103 construction, improvement, enlargement or extension of
 2104 facilities' signs, firelanes, access roads, and trails; or any
 2105 other activities that serve to restore, conserve, protect, or
 2106 provide public access, recreational opportunities, or necessary

2107 services for land or water areas. Such activities shall be
 2108 identified before ~~prior to~~ the acquisition of a parcel or the
 2109 approval of a project. The continued expenditures necessary for
 2110 a capital improvement approved under this subsection are ~~shall~~
 2111 not ~~be~~ eligible for funding provided in this chapter.

2112 (4) "Department" means the Department of Environmental
 2113 Protection.

2114 (5) "Division" means the Division of Bond Finance of the
 2115 State Board of Administration.

2116 (6) "Water resource development project" means a project
 2117 eligible for funding pursuant to s. 259.105 that increases the
 2118 amount of water available to meet the needs of natural systems
 2119 and the citizens of the state by enhancing or restoring aquifer
 2120 recharge, facilitating the capture and storage of excess flows
 2121 in surface waters, or promoting reuse. The implementation of
 2122 eligible projects under s. 259.105 includes land acquisition,
 2123 land and water body restoration, aquifer storage and recovery
 2124 facilities, surface water reservoirs, and other capital
 2125 improvements. ~~The term does not include construction of~~
 2126 ~~treatment, transmission, or distribution facilities.~~

2127 Section 15. Subsections (6), (7), and (8) and paragraphs
 2128 (a) and (d) of section (9) of section 259.032, Florida Statutes,
 2129 are amended to read:

2130 259.032 Conservation and recreation lands.—

2131 (6) Conservation and recreation lands are subject to the
 2132 selection procedures of s. 259.035 and related rules and shall

2133 be acquired in accordance with acquisition procedures for state
2134 lands provided for in s. 253.025 ~~259.041~~, except as otherwise
2135 provided by the Legislature. An inholding or an addition to
2136 conservation and recreation lands is not subject to the
2137 selection procedures of s. 259.035 if the estimated value of
2138 such inholding or addition does not exceed \$500,000. When at
2139 least 90 percent of the acreage of a project has been purchased
2140 for conservation and recreation purposes, the project may be
2141 removed from the list and the remaining acreage may continue to
2142 be purchased. Funds appropriated to acquire conservation and
2143 recreation lands may be used for title work, appraisal fees,
2144 environmental audits, and survey costs related to acquisition
2145 expenses for lands to be acquired, donated, or exchanged which
2146 qualify under the categories of this section, at the discretion
2147 of the board. When the Legislature has authorized the department
2148 ~~of Environmental Protection~~ to condemn a specific parcel of land
2149 and such parcel has already been approved for acquisition, the
2150 land may be acquired in accordance with ~~the provisions of~~
2151 chapter 73 or chapter 74, and the funds appropriated to acquire
2152 conservation and recreation lands may be used to pay the
2153 condemnation award and all costs, including reasonable attorney
2154 fees, associated with condemnation.

2155 (7) All lands managed under this chapter and s. 253.034
2156 shall be:

2157 (a) Managed in a manner that will provide the greatest
2158 combination of benefits to the public and to the resources.

2159 (b) Managed for public outdoor recreation which is
 2160 compatible with the conservation and protection of public lands.
 2161 Such management may include, but not be limited to, the
 2162 following public recreational uses: fishing, hunting, camping,
 2163 bicycling, hiking, nature study, swimming, boating, canoeing,
 2164 horseback riding, diving, model hobbyist activities, birding,
 2165 sailing, jogging, and other related outdoor activities
 2166 ~~compatible with the purposes for which the lands were acquired.~~

2167 ~~(c) Managed for the purposes for which the lands were~~
 2168 ~~acquired, consistent with paragraph (9) (a).~~

2169 (c) ~~(d)~~ Concurrent with its adoption of the annual list of
 2170 acquisition projects pursuant to s. 259.035, the board ~~of~~
 2171 ~~trustees~~ shall adopt a management prospectus for each project.
 2172 The management prospectus shall delineate:

- 2173 1. The management goals for the property;
- 2174 2. The conditions that will affect the intensity of
 2175 management;
- 2176 3. An estimate of the revenue-generating potential of the
 2177 property, if appropriate;
- 2178 4. A timetable for implementing the various stages of
 2179 management and for providing access to the public, if
 2180 applicable;
- 2181 5. A description of potential multiple-use activities as
 2182 described in this section and s. 253.034;
- 2183 6. Provisions for protecting existing infrastructure and
 2184 for ensuring the security of the project upon acquisition;

2185 7. The anticipated costs of management and projected
 2186 sources of revenue, including legislative appropriations, to
 2187 fund management needs; and

2188 8. Recommendations as to how many employees will be needed
 2189 to manage the property, and recommendations as to whether local
 2190 governments, volunteer groups, the former landowner, or other
 2191 interested parties can be involved in the management.

2192 ~~(d)~~ (e) Concurrent with the approval of the acquisition
 2193 contract pursuant to s. 253.025(4)(c) ~~259.041(3)(e)~~ for any
 2194 interest in lands except those lands ~~being~~ acquired pursuant to
 2195 ~~under the provisions of s. 259.1052, the board of trustees shall~~
 2196 designate an agency or agencies to manage such lands. The board
 2197 shall evaluate and amend, as appropriate, the management policy
 2198 statement for the project as provided by s. 259.035 to ensure
 2199 the policy is compatible with conservation or recreation
 2200 purposes, consistent with the purposes for which the lands are
 2201 ~~acquired~~. For any fee simple acquisition of a parcel which is or
 2202 will be leased back for agricultural purposes, or any
 2203 acquisition of a less-than-fee interest in land that is or will
 2204 be used for agricultural purposes, ~~the board of trustees of the~~
 2205 ~~Internal Improvement Trust Fund~~ shall first consider having a
 2206 soil and water conservation district, created pursuant to
 2207 chapter 582, manage and monitor such interests.

2208 ~~(e)~~ (f) State agencies designated to manage lands acquired
 2209 under this chapter or with funds deposited into the Land
 2210 Acquisition Trust Fund, except those lands acquired under s.

2211 259.1052, may contract with local governments and soil and water
 2212 conservation districts to assist in management activities,
 2213 including the responsibility of being the lead land manager.
 2214 Such land management contracts may include a provision for the
 2215 transfer of management funding to the local government or soil
 2216 and water conservation district from the land acquisition trust
 2217 fund of the lead land managing agency in an amount adequate for
 2218 the local government or soil and water conservation district to
 2219 perform its contractual land management responsibilities and
 2220 proportionate to its responsibilities, and which otherwise would
 2221 have been expended by the state agency to manage the property.

2222 (f)~~(g)~~ Immediately following the acquisition of any
 2223 interest in conservation and recreation lands, the department ~~of~~
 2224 ~~Environmental Protection~~, acting on behalf of the board ~~of~~
 2225 ~~trustees~~, may issue to the lead managing entity an interim
 2226 assignment letter to be effective until the execution of a
 2227 formal lease.

2228 (8) (a) State, regional, or local governmental agencies or
 2229 private entities designated to manage lands under this section
 2230 shall develop and adopt, with the approval of the board ~~of~~
 2231 ~~trustees~~, an individual management plan for each project
 2232 designed to conserve and protect such lands and their associated
 2233 natural resources. Private sector involvement in management plan
 2234 development may be used to expedite the planning process.

2235 (b) Individual management plans required by s. 253.034(5),
 2236 for parcels over 160 acres, shall be developed with input from

2237 an advisory group. Members of this advisory group shall include,
2238 at a minimum, representatives of the lead land managing agency,
2239 comanaging entities, local private property owners, the
2240 appropriate soil and water conservation district, a local
2241 conservation organization, and a local elected official. If
2242 habitat or potentially restorable habitat for imperiled species
2243 is located on state lands, the Fish and Wildlife Conservation
2244 Commission and the Department of Agriculture and Consumer
2245 Services shall be included on any advisory group required under
2246 chapter 253, and the short-term and long-term management goals
2247 required under chapter 253 must advance the goals and objectives
2248 of imperiled species management without restricting other uses
2249 identified in the management plan. The advisory group shall
2250 conduct at least one public hearing within the county in which
2251 the parcel or project is located. For those parcels or projects
2252 that are within more than one county, at least one areawide
2253 public hearing shall be acceptable and the lead managing agency
2254 shall invite a local elected official from each county. The
2255 areawide public hearing shall be held in the county in which the
2256 core parcels are located. Notice of such public hearing shall be
2257 posted on the parcel or project designated for management,
2258 advertised in a paper of general circulation, and announced at a
2259 scheduled meeting of the local governing body before the actual
2260 public hearing. The management prospectus required pursuant to
2261 paragraph (7) (c) ~~(7) (d)~~ shall be available to the public for a
2262 period of 30 days before ~~prior to~~ the public hearing.

2263 (c) Once a plan is adopted, the managing agency or entity
 2264 shall update the plan at least every 10 years in a form and
 2265 manner adopted ~~prescribed~~ by rule of the board ~~of trustees~~. Such
 2266 updates, for parcels over 160 acres, shall be developed with
 2267 input from an advisory group. Such plans may include transfers
 2268 of leasehold interests to appropriate conservation organizations
 2269 or governmental entities designated by the ~~Land Acquisition and~~
 2270 ~~Management Advisory~~ council ~~or its successor~~, for uses
 2271 consistent with the purposes of the organizations and the
 2272 protection, preservation, conservation, restoration, and proper
 2273 management of the lands and their resources. Volunteer
 2274 management assistance is encouraged, including, but not limited
 2275 to, assistance by youths participating in programs sponsored by
 2276 state or local agencies, by volunteers sponsored by
 2277 environmental or civic organizations, and by individuals
 2278 participating in programs for committed delinquents and adults.

2279 (d)~~1~~. For each project for which lands are acquired after
 2280 July 1, 1995, an individual management plan shall be adopted and
 2281 in place no later than 1 year after the essential parcel or
 2282 parcels identified in the priority list developed pursuant to s.
 2283 259.105 have been acquired. The department ~~of Environmental~~
 2284 ~~Protection~~ shall distribute only 75 percent of the acquisition
 2285 funds to which a budget entity or water management district
 2286 would otherwise be entitled to any budget entity or any water
 2287 management district that has more than one-third of its
 2288 management plans overdue.

2289 ~~2. The requirements of subparagraph 1. do not apply to the~~
 2290 ~~individual management plan for the Babcock Crescent B Ranch~~
 2291 ~~being acquired pursuant to s. 259.1052. The management plan for~~
 2292 ~~the ranch shall be adopted and in place no later than 2 years~~
 2293 ~~following the date of acquisition by the state.~~

2294 (e) Individual management plans shall conform to the
 2295 appropriate policies and guidelines of the state land management
 2296 plan and shall include, but not be limited to:

2297 1. A statement of the purpose for which the lands were
 2298 acquired, the projected use or uses as defined in s. 253.034,
 2299 and the statutory authority for such use or uses.

2300 2. Key management activities necessary to achieve the
 2301 desired outcomes, including, but not limited to, providing
 2302 public access, preserving and protecting natural resources,
 2303 protecting cultural and historical resources, restoring habitat,
 2304 protecting threatened and endangered species, controlling the
 2305 spread of nonnative plants and animals, performing prescribed
 2306 fire activities, and other appropriate resource management.

2307 3. A specific description of how the managing agency plans
 2308 to identify, locate, protect, and preserve, or otherwise use
 2309 fragile, nonrenewable natural and cultural resources.

2310 4. A priority schedule for conducting management
 2311 activities, ~~based on the purposes for which the lands were~~
 2312 ~~acquired.~~

2313 5. A cost estimate for conducting priority management
 2314 activities, to include recommendations for cost-effective

2315 methods of accomplishing those activities.

2316 6. A cost estimate for conducting other management
2317 activities which would enhance the natural resource value or
2318 public recreation value ~~for which the lands were acquired~~. The
2319 cost estimate shall include recommendations for cost-effective
2320 methods of accomplishing those activities.

2321 7. A determination of the public uses and public access
2322 that would be compatible with conservation or recreation
2323 purposes ~~that would be consistent with the purposes for which~~
2324 ~~the lands were acquired~~.

2325 (f) The Division of State Lands shall submit a copy of
2326 each individual management plan for parcels which exceed 160
2327 acres in size to each member of the ~~Acquisition and Restoration~~
2328 council, which shall:

2329 1. Within 60 days after receiving a plan from the Division
2330 of State Lands, review each plan for compliance with the
2331 requirements of this subsection and with the requirements of the
2332 rules adopted ~~established~~ by the board pursuant to this
2333 subsection.

2334 2. Consider the propriety of the recommendations of the
2335 managing agency with regard to the future use or protection of
2336 the property.

2337 3. After its review, submit the plan, along with its
2338 recommendations and comments, to the board ~~of trustees~~, with
2339 recommendations as to whether to approve the plan as submitted,
2340 approve the plan with modifications, or reject the plan.

2341 (g) The board ~~of trustees~~ shall consider the individual
 2342 management plan submitted by each state agency and the
 2343 recommendations of the ~~Acquisition and Restoration~~ council and
 2344 the department ~~Division of State Lands~~ and shall approve the
 2345 plan with or without modification or reject such plan. The use
 2346 or possession of any lands owned by the board ~~of trustees~~ which
 2347 is not in accordance with an approved individual management plan
 2348 is subject to termination by the board ~~of trustees~~.

2349
 2350 By July 1 of each year, each governmental agency and each
 2351 private entity designated to manage lands shall report to the
 2352 Secretary of Environmental Protection on the progress of
 2353 funding, staffing, and resource management of every project for
 2354 which the agency or entity is responsible.

2355 (9) (a) The Legislature recognizes that acquiring lands
 2356 pursuant to this chapter serves the public interest by
 2357 protecting land, air, and water resources which contribute to
 2358 the public health and welfare, providing areas for natural
 2359 resource based recreation, and ensuring the survival of unique
 2360 and irreplaceable plant and animal species. The Legislature
 2361 intends for these lands to be managed and maintained in a manner
 2362 that is compatible with conservation or recreation purposes ~~for~~
 2363 ~~the purposes for which they were acquired~~ and for the public to
 2364 have access to and use of these lands if public access ~~where it~~
 2365 ~~is consistent with acquisition purposes~~ and would not harm the
 2366 resources the state is seeking to protect on the public's

2367 behalf.

2368 (d) Up to one-fifth of the funds appropriated for the
 2369 purposes identified in paragraph (b) shall be reserved by the
 2370 board ~~of trustees~~ for interim management of acquisitions and for
 2371 associated contractual services, to ensure the conservation and
 2372 protection of natural resources on project sites and to allow
 2373 limited public recreational use of lands. Interim management
 2374 activities may include, but not be limited to, resource
 2375 assessments, control of invasive, nonnative species, habitat
 2376 restoration, fencing, law enforcement, controlled burning, and
 2377 public access consistent with preliminary determinations made
 2378 pursuant to paragraph (7) (f) ~~(7) (g)~~. The board ~~of trustees~~ shall
 2379 make these interim funds available immediately upon purchase.

2380 Section 16. Subsection (3) and paragraph (a) of subsection
 2381 (4) of section 259.035, Florida Statutes, are amended to read:

2382 259.035 Acquisition and Restoration Council.—

2383 (3) The council shall provide assistance to the board ~~of~~
 2384 ~~trustees~~ in reviewing the recommendations and plans for state-
 2385 owned conservation lands required under s. 253.034 and this
 2386 chapter. The council shall, in reviewing such ~~recommendations~~
 2387 ~~and~~ plans, consider the optimization of multiple-use and
 2388 conservation strategies to accomplish the provisions funded
 2389 pursuant to former s. 259.101(3) (a), Florida Statutes 2014, and
 2390 to s. 259.105(3) (b).

2391 (4) (a) By December 1, 2016, the ~~Acquisition and~~
 2392 ~~Restoration~~ council shall develop rules defining specific

2393 criteria and numeric performance measures needed for lands that
2394 are to be acquired for public purpose under the Florida Forever
2395 program pursuant to s. 259.105 or with funds deposited into the
2396 Land Acquisition Trust Fund pursuant to s. 28(a), Art. X of the
2397 State Constitution. These rules shall be reviewed and adopted by
2398 the board, then submitted to the Legislature for consideration
2399 by February 1, 2017. The Legislature may reject, modify, or take
2400 no action relative to the proposed rules. If no action is taken,
2401 the rules shall be implemented. Subsequent to their approval,
2402 each recipient of funds from the Land Acquisition Trust Fund
2403 shall annually report to the department ~~Division of State Lands~~
2404 on each of the numeric performance measures accomplished during
2405 the previous fiscal year.

2406 Section 17. Subsections (1), (2), (4), and (5) of section
2407 259.036, Florida Statutes, are amended to read:

2408 259.036 Management review teams.—

2409 (1) To determine whether conservation, preservation, and
2410 recreation lands titled in the name of the board ~~of Trustees of~~
2411 ~~the Internal Improvement Trust Fund~~ are being managed for the
2412 purposes that are compatible with conservation, preservation, or
2413 recreation ~~for which they were acquired~~ and in accordance with a
2414 land management plan adopted pursuant to s. 259.032, the board
2415 ~~of trustees~~, acting through the department ~~of Environmental~~
2416 ~~Protection~~, shall cause periodic management reviews to be
2417 conducted as follows:

2418 (a) The department shall establish a regional land

2419 management review team composed of the following members:

2420 1. One individual who is from the county or local

2421 community in which the parcel or project is located and who is

2422 selected by the county commission in the county which is most

2423 impacted by the acquisition.

2424 2. One individual from the Division of Recreation and

2425 Parks of the department.

2426 3. One individual from the Florida Forest Service of the

2427 Department of Agriculture and Consumer Services.

2428 4. One individual from the Fish and Wildlife Conservation

2429 Commission.

2430 5. One individual from the department's district office in

2431 which the parcel is located.

2432 6. A private land manager, preferably from the local

2433 community, mutually agreeable to the state agency

2434 representatives.

2435 7. A member or staff from the jurisdictional water

2436 management district or ~~of the~~ local soil and water conservation

2437 district board of supervisors.

2438 8. A member of a conservation organization.

2439 (b) The department ~~staff of the Division of State Lands~~

2440 shall act as the review team coordinator for the purposes of

2441 establishing schedules for the reviews and other staff

2442 functions. The Legislature shall appropriate funds necessary to

2443 implement land management review team functions.

2444 (2) The land management review team shall review select

2445 management areas before ~~prior to~~ the date the manager is
 2446 required to submit a 10-year land management plan update. For
 2447 management areas that exceed 1,000 acres in size, the department
 2448 ~~Division of State Lands~~ shall schedule a land management review
 2449 at least every 5 years. A copy of the review shall be provided
 2450 to the manager, the department ~~Division of State Lands~~, and the
 2451 ~~Acquisition and Restoration~~ council. The manager shall consider
 2452 the findings and recommendations of the land management review
 2453 team in finalizing the required 10-year update of its management
 2454 plan.

2455 (4) In the event a land management plan has not been
 2456 adopted within the timeframes specified in s. 259.032(8), the
 2457 department may direct a management review of the property, to be
 2458 conducted by the land management review team. The review shall
 2459 consider the extent to which the land is being managed in a
 2460 manner that is compatible with conservation or recreation
 2461 purposes ~~for the purposes for which it was acquired~~ and the
 2462 degree to which actual management practices are in compliance
 2463 with the management policy statement and management prospectus
 2464 for that property.

2465 (5) If the land management review team determines that
 2466 reviewed lands are not being managed in a manner that is
 2467 compatible with conservation or recreation purposes ~~for the~~
 2468 ~~purposes for which they were acquired~~ or in compliance with the
 2469 adopted land management plan, management policy statement, or
 2470 management prospectus, or if the managing agency fails to

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2471 address the review findings in the updated management plan, the
 2472 department shall provide the review findings to the board, and
 2473 the managing agency must report to the board its reasons for
 2474 managing the lands as it has.

2475 Section 18. Section 259.037, Florida Statutes, is amended
 2476 to read:

2477 259.037 Land Management Uniform Accounting Council.—

2478 (1) The Land Management Uniform Accounting Council (LMUAC)
 2479 is created within the Department of Environmental Protection and
 2480 shall consist of the director of the Division of State Lands,
 2481 the director of the Division of Recreation and Parks, and the
 2482 director of the Office of Coastal and Aquatic Managed Areas, ~~and~~
 2483 ~~the director of the Office of Greenways and Trails~~ of the
 2484 department ~~of Environmental Protection~~; the director of the
 2485 Florida Forest Service of the Department of Agriculture and
 2486 Consumer Services; the executive director of the Fish and
 2487 Wildlife Conservation Commission; and the director of the
 2488 Division of Historical Resources of the Department of State, or
 2489 their respective designees. Each state agency represented on the
 2490 LMUAC council shall have one vote. The chair of the LMUAC
 2491 ~~council~~ shall rotate annually in the foregoing order of state
 2492 agencies. The agency of the representative serving as chair ~~of~~
 2493 ~~the council~~ shall provide staff support for the LMUAC council.
 2494 The Division of State Lands shall serve as the recipient of and
 2495 repository for the LMUAC's council's documents. The LMUAC
 2496 ~~council~~ shall meet at the request of the chair.

2497 (2) The Auditor General and the director of the Office of
 2498 Program Policy Analysis and Government Accountability, or their
 2499 designees, shall advise the LMUAC ~~council~~ to ensure that
 2500 appropriate accounting procedures are used ~~utilized~~ and that a
 2501 uniform method of collecting and reporting accurate costs of
 2502 land management activities are created and can be used by all
 2503 agencies.

2504 (3) (a) All land management activities and costs must be
 2505 assigned to a specific category, and any single activity or cost
 2506 may not be assigned to more than one category. Administrative
 2507 costs, such as planning or training, shall be segregated from
 2508 other management activities. Specific management activities and
 2509 costs must initially be grouped, at a minimum, within the
 2510 following categories:

- 2511 1. Resource management.
- 2512 2. Administration.
- 2513 3. Support.
- 2514 4. Capital improvements.
- 2515 5. Recreation visitor services.
- 2516 6. Law enforcement activities.

2517
 2518 Upon adoption of the initial list of land management categories
 2519 by the LMUAC ~~council~~, agencies assigned to manage conservation
 2520 or recreation lands shall, ~~on July 1, 2000, begin to~~ account for
 2521 land management costs in accordance with the category to which
 2522 an expenditure is assigned.

2523 (b) Each reporting agency shall also:

2524 1. Include a report of the available public use

2525 opportunities for each management unit of state land, the total

2526 management cost for public access and public use, and the cost

2527 associated with each use option.

2528 2. List the acres of land requiring minimal management

2529 effort, moderate management effort, and significant management

2530 effort pursuant to s. 259.032(9)(c). For each category created

2531 in paragraph (a), the reporting agency shall include the amount

2532 of funds requested, the amount of funds received, and the amount

2533 of funds expended for land management.

2534 3. List acres managed and cost of management for each

2535 park, preserve, forest, reserve, or management area.

2536 4. List acres managed, cost of management, and lead

2537 manager for each state lands management unit for which secondary

2538 management activities were provided.

2539 5. Include a report of the estimated calculable financial

2540 benefits to the public for the ecosystem services provided by

2541 conservation lands, based on the best readily available

2542 information or science that provides a standard measurement

2543 methodology to be consistently applied by the land managing

2544 agencies. Such information may include, but need not be limited

2545 to, the value of natural lands for protecting the quality and

2546 quantity of drinking water through natural water filtration and

2547 recharge, contributions to protecting and improving air quality,

2548 benefits to agriculture through increased soil productivity and

2549 preservation of biodiversity, and savings to property and lives
 2550 through flood control.

2551 (4) The LMUAC ~~council~~ shall provide a report of the
 2552 agencies' expenditures pursuant to the adopted categories to the
 2553 Acquisition and Restoration Council and the Division of State
 2554 Lands for inclusion in its annual report required pursuant to s.
 2555 259.036.

2556 (5) Should the LMUAC ~~council~~ determine that the list of
 2557 land management categories needs to be revised, it shall meet
 2558 upon the call of the chair.

2559 (6) Biennially, each reporting agency shall also submit an
 2560 operational report for each management area along with an
 2561 approved management plan. The report should assess the progress
 2562 toward achieving short-term and long-term management goals of
 2563 the approved management plan, including all land management
 2564 activities, and identify any deficiencies in management and
 2565 corrective actions to address identified deficiencies as
 2566 appropriate. This report shall be submitted to the Acquisition
 2567 and Restoration Council and the Division of State Lands for
 2568 inclusion in its annual report required pursuant to s. 259.036.

2569 Section 19. Section 259.041, Florida Statutes, is
 2570 repealed.

2571 Section 20. Subsection (2) of section 259.047, Florida
 2572 Statutes, is amended to read:

2573 259.047 Acquisition of land on which an agricultural lease
 2574 exists.—

2575 (2) If ~~where~~ consistent with the purposes of conservation
 2576 and recreation ~~for which the property was acquired~~, the state or
 2577 acquiring entity shall make reasonable efforts to keep lands in
 2578 agricultural production which are in agricultural production at
 2579 the time of acquisition.

2580 Section 21. Subsection (8) of section 259.101, Florida
 2581 Statutes, is renumbered as subsection (7), and subsection (5),
 2582 paragraph (a) of subsection (6), and present subsection (7) of
 2583 that section are amended, to read:

2584 259.101 Florida Preservation 2000 Act.—

2585 (5) DISPOSITION OF LANDS.—

2586 (a) Any lands acquired pursuant to former paragraphs
 2587 (3) (a), (3) (c), (3) (d), (3) (e), (3) (f), or (3) (g) of this
 2588 section, Florida Statutes 2014, if title to such lands is vested
 2589 in the board ~~of Trustees of the Internal Improvement Trust Fund~~,
 2590 may be disposed of by the board ~~of Trustees of the Internal~~
 2591 ~~Improvement Trust Fund~~ in accordance with the provisions and
 2592 procedures set forth in s. 253.0341 ~~253.034(6)~~, and lands
 2593 acquired pursuant to former paragraph (3) (b) of this section,
 2594 Florida Statutes 2014, may be disposed of by the owning water
 2595 management district in accordance with the procedures and
 2596 provisions set forth in ss. 373.056 and 373.089 provided such
 2597 disposition also shall satisfy the requirements of paragraphs
 2598 (b) and (c).

2599 (b) Before land acquired with Preservation 2000 funds may
 2600 be surplused as required by s. 253.0341 ~~253.034(6)~~ or determined

2601 to be no longer required for its purposes under s. 373.056(4),
 2602 as applicable, there shall first be a determination by the board
 2603 ~~of Trustees of the Internal Improvement Trust Fund,~~ or, in the
 2604 case of water management district lands, by the owning water
 2605 management district, that such land no longer needs to be
 2606 preserved in furtherance of the intent of the Florida
 2607 Preservation 2000 Act. Any lands eligible to be disposed of
 2608 under this procedure also may be used to acquire other lands
 2609 through an exchange of lands if such lands obtained in an
 2610 exchange are described in the same paragraph of former
 2611 subsection (3) of this section, Florida Statutes 2014, as the
 2612 lands disposed.

2613 (c) Revenue derived from the disposal of lands acquired
 2614 with Preservation 2000 funds may not be used for any purpose
 2615 except for deposit into the Florida Forever Trust Fund within
 2616 the department ~~of Environmental Protection,~~ for recredit to the
 2617 share held under former subsection (3) of this section, Florida
 2618 Statutes 2014, in which such disposed land is described.

2619 (6) ALTERNATE USES OF ACQUIRED LANDS.—

2620 (a) The board ~~of Trustees of the Internal Improvement~~
 2621 ~~Trust Fund,~~ or, in the case of water management district lands,
 2622 the owning water management district, may authorize the granting
 2623 of a lease, easement, or license for the use of any lands
 2624 acquired pursuant to former subsection (3) of this section,
 2625 Florida Statutes 2014, for any governmental use permitted by s.
 2626 17, Art. IX of the State Constitution of 1885, as adopted by s.

2627 9(a), Art. XII of the State Constitution, and any other
 2628 incidental public or private use that is determined by the board
 2629 or the owning water management district to be compatible with
 2630 conservation, preservation, or recreation ~~the purposes for which~~
 2631 ~~such lands were acquired.~~

2632 ~~(7) ALTERNATIVES TO FEE SIMPLE ACQUISITION.—~~

2633 ~~(a) The Legislature finds that, with the increasing~~
 2634 ~~pressures on the natural areas of this state, the state must~~
 2635 ~~develop creative techniques to maximize the use of acquisition~~
 2636 ~~and management moneys. The Legislature finds that the state's~~
 2637 ~~environmental land-buying agencies should be encouraged to~~
 2638 ~~augment their traditional, fee simple acquisition programs with~~
 2639 ~~the use of alternatives to fee simple acquisition techniques.~~
 2640 ~~The Legislature also finds that using alternatives to fee simple~~
 2641 ~~acquisition by public land-buying agencies will achieve the~~
 2642 ~~following public policy goals:~~

2643 ~~1. Allow more lands to be brought under public protection~~
 2644 ~~for preservation, conservation, and recreational purposes at~~
 2645 ~~less expense using public funds.~~

2646 ~~2. Retain, on local government tax rolls, some portion of~~
 2647 ~~or interest in lands that are under public protection.~~

2648 ~~3. Reduce long-term management costs by allowing private~~
 2649 ~~property owners to continue acting as stewards of the land, as~~
 2650 ~~appropriate.~~

2651
 2652 ~~Therefore, it is the intent of the Legislature that public land—~~

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2653 ~~buying agencies develop programs to pursue alternatives to fee~~
2654 ~~simple acquisition and to educate private landowners about such~~
2655 ~~alternatives and the benefits of such alternatives. It also is~~
2656 ~~the intent of the Legislature that the department and the water~~
2657 ~~management districts spend a portion of their shares of~~
2658 ~~Preservation 2000 bond proceeds to purchase eligible properties~~
2659 ~~using alternatives to fee simple acquisition. Finally, it is the~~
2660 ~~intent of the Legislature that public agencies acquire lands in~~
2661 ~~fee simple for public access and recreational activities. Lands~~
2662 ~~protected using alternatives to fee simple acquisition~~
2663 ~~techniques may not be accessible to the public unless such~~
2664 ~~access is negotiated with and agreed to by the private~~
2665 ~~landowners who retain interests in such lands.~~

2666 ~~(b) The Land Acquisition Advisory Council and the water~~
2667 ~~management districts shall identify, within their 1997~~
2668 ~~acquisition plans, those projects that require a full fee simple~~
2669 ~~interest to achieve the public policy goals, along with the~~
2670 ~~reasons why full title is determined to be necessary. The~~
2671 ~~council and the water management districts may use alternatives~~
2672 ~~to fee simple acquisition to bring the remaining projects in~~
2673 ~~their acquisition plans under public protection. For the~~
2674 ~~purposes of this subsection, the term "alternatives to fee~~
2675 ~~simple acquisition" includes the purchase of development rights;~~
2676 ~~conservation easements; flowage easements; the purchase of~~
2677 ~~timber rights, mineral rights, or hunting rights; the purchase~~
2678 ~~of agricultural interests or silvicultural interests; land~~

2679 ~~protection agreements; fee simple acquisitions with~~
2680 ~~reservations; or any other acquisition technique that achieves~~
2681 ~~the public policy goals identified in paragraph (a). It is~~
2682 ~~presumed that a private landowner retains the full range of uses~~
2683 ~~for all the rights or interests in the landowner's land which~~
2684 ~~are not specifically acquired by the public agency. Life estates~~
2685 ~~and fee simple acquisitions with leaseback provisions do not~~
2686 ~~qualify as an alternative to fee simple acquisition under this~~
2687 ~~subsection, although the department and the districts are~~
2688 ~~encouraged to use such techniques if appropriate.~~

2689 ~~(c) The department and each water management district~~
2690 ~~shall implement initiatives to use alternatives to fee simple~~
2691 ~~acquisition and to educate private landowners about such~~
2692 ~~alternatives. These initiatives must include at least two~~
2693 ~~acquisitions a year by the department and each water management~~
2694 ~~district utilizing alternatives to fee simple.~~

2695 ~~(d) The Legislature finds that the lack of direct sales~~
2696 ~~comparison information has served as an impediment to successful~~
2697 ~~implementation of alternatives to fee simple acquisition. It is~~
2698 ~~the intent of the Legislature that, in the absence of direct~~
2699 ~~comparable sales information, appraisals of alternatives to fee~~
2700 ~~simple acquisitions be based on the difference between the full~~
2701 ~~fee simple valuation and the value of the interests remaining~~
2702 ~~with the seller after acquisition.~~

2703 ~~(e) The public agency that has been assigned management~~
2704 ~~responsibility shall inspect and monitor any less than fee-~~

2705 ~~simple interest according to the terms of the purchase agreement~~
 2706 ~~relating to such interest.~~

2707 ~~(f) The department and the water management districts may~~
 2708 ~~enter into joint acquisition agreements to jointly fund the~~
 2709 ~~purchase of lands using alternatives to fee simple techniques.~~

2710 Section 22. Paragraph (a) of subsection (2), paragraphs
 2711 (i) and (l) of subsection (3), subsections (10) and (13),
 2712 paragraph (i) of subsection (15), and subsection (19) of section
 2713 259.105, Florida Statutes, are amended to read:

2714 259.105 The Florida Forever Act.—

2715 (2)(a) The Legislature finds and declares that:

2716 1. Land acquisition programs have provided tremendous
 2717 financial resources for purchasing environmentally significant
 2718 lands to protect those lands from imminent development or
 2719 alteration, thereby ensuring present and future generations'
 2720 access to important waterways, open spaces, and recreation and
 2721 conservation lands.

2722 2. The continued alteration and development of the state's
 2723 ~~Florida's~~ natural and rural areas to accommodate the state's
 2724 growing population have contributed to the degradation of water
 2725 resources, the fragmentation and destruction of wildlife
 2726 habitats, the loss of outdoor recreation space, and the
 2727 diminishment of wetlands, forests, working landscapes, and
 2728 coastal open space.

2729 3. The potential development of the state's ~~Florida's~~
 2730 remaining natural areas and escalation of land values require

2731 government efforts to restore, bring under public protection, or
2732 acquire lands and water areas to preserve the state's essential
2733 ecological functions and invaluable quality of life.

2734 4. It is essential to protect the state's ecosystems by
2735 promoting a more efficient use of land, to ensure opportunities
2736 for viable agricultural activities on working lands, and to
2737 promote vital rural and urban communities that support and
2738 produce development patterns consistent with natural resource
2739 protection.

2740 5. The state's ~~Florida's~~ groundwater, surface waters, and
2741 springs are under tremendous pressure due to population growth
2742 and economic expansion and require special protection and
2743 restoration efforts, including the protection of uplands and
2744 springsheds that provide vital recharge to aquifer systems and
2745 are critical to the protection of water quality and water
2746 quantity of the aquifers and springs. To ensure that sufficient
2747 quantities of water are available to meet the current and future
2748 needs of the natural systems and citizens of the state, and
2749 assist in achieving the planning goals of the department and the
2750 water management districts, water resource development projects
2751 on public lands, if ~~where~~ compatible with the resource values of
2752 and management objectives for the lands, are appropriate.

2753 6. The needs of urban, suburban, and small communities in
2754 the state ~~Florida~~ for high-quality outdoor recreational
2755 opportunities, greenways, trails, and open space have not been
2756 fully met by previous acquisition programs. Through such

2757 | programs as the Florida Communities Trust and the Florida
 2758 | Recreation Development Assistance Program, the state shall place
 2759 | additional emphasis on acquiring, protecting, preserving, and
 2760 | restoring open space, ecological greenways, and recreation
 2761 | properties within urban, suburban, and rural areas where
 2762 | pristine natural communities or water bodies no longer exist
 2763 | because of the proximity of developed property.

2764 | 7. Many of the state's ~~Florida's~~ unique ecosystems, such
 2765 | as the Florida Everglades, are facing ecological collapse due to
 2766 | the state's ~~Florida's~~ burgeoning population growth and other
 2767 | economic activities. To preserve these valuable ecosystems for
 2768 | future generations, essential parcels of land must be acquired
 2769 | to facilitate ecosystem restoration.

2770 | 8. Access to public lands to support a broad range of
 2771 | outdoor recreational opportunities and the development of
 2772 | necessary infrastructure, if ~~where~~ compatible with the resource
 2773 | values of and management objectives for such lands, promotes an
 2774 | appreciation for the state's ~~Florida's~~ natural assets and
 2775 | improves the quality of life.

2776 | 9. Acquisition of lands, in fee simple, less-than-fee
 2777 | interest, or other techniques shall be based on a comprehensive
 2778 | science-based assessment of the state's ~~Florida's~~ natural
 2779 | resources which targets essential conservation lands by
 2780 | prioritizing all current and future acquisitions based on a
 2781 | uniform set of data and planned so as to protect the integrity
 2782 | and function of ecological systems and working landscapes, and

2783 provide multiple benefits, including preservation of fish and
2784 wildlife habitat, recreation space for urban and rural areas,
2785 and the restoration of natural water storage, flow, and
2786 recharge.

2787 10. The state has embraced performance-based program
2788 budgeting as a tool to evaluate the achievements of publicly
2789 funded agencies, build in accountability, and reward those
2790 agencies which are able to consistently achieve quantifiable
2791 goals. While previous and existing state environmental programs
2792 have achieved varying degrees of success, few of these programs
2793 can be evaluated as to the extent of their achievements,
2794 primarily because performance measures, standards, outcomes, and
2795 goals were not established at the outset. Therefore, the Florida
2796 Forever program shall be developed and implemented in the
2797 context of measurable state goals and objectives.

2798 11. The state must play a major role in the recovery and
2799 management of its imperiled species through the acquisition,
2800 restoration, enhancement, and management of ecosystems that can
2801 support the major life functions of such species. It is the
2802 intent of the Legislature to support local, state, and federal
2803 programs that result in net benefit to imperiled species habitat
2804 by providing public and private land owners meaningful
2805 incentives for acquiring, restoring, managing, and repopulating
2806 habitats for imperiled species. It is the further intent of the
2807 Legislature that public lands, both existing and to be acquired,
2808 identified by the lead land managing agency, in consultation

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2809 with the ~~Florida~~ Fish and Wildlife Conservation Commission for
2810 animals or the Department of Agriculture and Consumer Services
2811 for plants, as habitat or potentially restorable habitat for
2812 imperiled species, be restored, enhanced, managed, and
2813 repopulated as habitat for such species to advance the goals and
2814 objectives of imperiled species management in a manner that is
2815 compatible with conservation or recreation purposes ~~consistent~~
2816 ~~with the purposes for which such lands are acquired~~ without
2817 restricting other uses identified in the management plan. It is
2818 also the intent of the Legislature that of the proceeds
2819 distributed pursuant to subsection (3), additional consideration
2820 be given to acquisitions that achieve a combination of
2821 conservation goals, including the restoration, enhancement,
2822 management, or repopulation of habitat for imperiled species.
2823 The ~~Acquisition and Restoration~~ council, in addition to the
2824 criteria in subsection (9), shall give weight to projects that
2825 include acquisition, restoration, management, or repopulation of
2826 habitat for imperiled species. The term "imperiled species" as
2827 used in this chapter and chapter 253, means plants and animals
2828 that are federally listed under the Endangered Species Act, or
2829 state-listed by the Fish and Wildlife Conservation Commission or
2830 the Department of Agriculture and Consumer Services.

2831 a. As part of the state's role, all state lands that have
2832 imperiled species habitat shall include as a consideration in
2833 management plan development the restoration, enhancement,
2834 management, and repopulation of such habitats. In addition, the

2835 lead land managing agency of such state lands may use fees
2836 received from public or private entities for projects to offset
2837 adverse impacts to imperiled species or their habitat in order
2838 to restore, enhance, manage, repopulate, or acquire land and to
2839 implement land management plans developed under s. 253.034 or a
2840 land management prospectus developed and implemented under this
2841 chapter. Such fees shall be deposited into a foundation or fund
2842 created by each land management agency under s. 379.223, s.
2843 589.012, or s. 259.032(9)(c), to be used solely to restore,
2844 manage, enhance, repopulate, or acquire imperiled species
2845 habitat.

2846 ~~b. Where habitat or potentially restorable habitat for~~
2847 ~~imperiled species is located on state lands, the Fish and~~
2848 ~~Wildlife Conservation Commission and the Department of~~
2849 ~~Agriculture and Consumer Services shall be included on any~~
2850 ~~advisory group required under chapter 253, and the short-term~~
2851 ~~and long-term management goals required under chapter 253 must~~
2852 ~~advance the goals and objectives of imperiled species management~~
2853 ~~consistent with the purposes for which the land was acquired~~
2854 ~~without restricting other uses identified in the management~~
2855 ~~plan.~~

2856 12. There is a need to change the focus and direction of
2857 the state's major land acquisition programs and to extend
2858 funding and bonding capabilities, so that future generations may
2859 enjoy the natural resources of this state.

2860 (3) Less the costs of issuing and the costs of funding

2861 reserve accounts and other costs associated with bonds, the
 2862 proceeds of cash payments or bonds issued pursuant to this
 2863 section shall be deposited into the Florida Forever Trust Fund
 2864 created by s. 259.1051. The proceeds shall be distributed by the
 2865 department of Environmental Protection in the following manner:

2866 (i) Three and five-tenths percent to the Department of
 2867 Agriculture and Consumer Services for the acquisition of
 2868 agricultural lands, through perpetual conservation easements and
 2869 other perpetual less-than-fee techniques, which will achieve the
 2870 objectives of Florida Forever and s. 570.71. Rules concerning
 2871 the application, acquisition, and priority ranking process for
 2872 such easements shall be developed pursuant to s. 570.71(10) and
 2873 as provided by this paragraph. The board shall ensure that such
 2874 rules are consistent with the acquisition process provided for
 2875 in s. 253.025 ~~259.041~~. ~~Provisions of~~ The rules developed
 2876 pursuant to s. 570.71(10), shall also provide for the following:

2877 1. An annual priority list shall be developed pursuant to
 2878 s. 570.71(10), submitted to the ~~Acquisition and Restoration~~
 2879 council for review, and approved by the board pursuant to s.
 2880 259.04.

2881 2. Terms of easements and acquisitions proposed pursuant
 2882 to this paragraph shall be approved by the board and may ~~shall~~
 2883 not be delegated by the board to any other entity receiving
 2884 funds under this section.

2885 3. All acquisitions pursuant to this paragraph shall
 2886 contain a clear statement that they are subject to legislative

2887 appropriation.

2888

2889 ~~No~~ Funds provided under this paragraph may not ~~shall~~ be expended
 2890 until final adoption of rules by the board pursuant to s.
 2891 570.71.

2892 (1) For the purposes of paragraphs (e), (f), (g), and (h),
 2893 the agencies that receive the funds shall develop their
 2894 individual acquisition or restoration lists in accordance with
 2895 specific criteria and numeric performance measures developed
 2896 pursuant to s. 259.035(4). Proposed additions may be acquired if
 2897 they are identified within the original project boundary, the
 2898 management plan required pursuant to s. 253.034(5), or the
 2899 management prospectus required pursuant to s. 259.032(7)(c)
 2900 ~~259.032(7)(d)~~. Proposed additions not meeting the requirements
 2901 of this paragraph shall be submitted to the ~~Acquisition and~~
 2902 ~~Restoration~~ council for approval. The council may only approve
 2903 the proposed addition if it meets two or more of the following
 2904 criteria: serves as a link or corridor to other publicly owned
 2905 property; enhances the protection or management of the property;
 2906 would add a desirable resource to the property; would create a
 2907 more manageable boundary configuration; has a high resource
 2908 value that otherwise would be unprotected; or can be acquired at
 2909 less than fair market value.

2910 (10) The ~~Acquisition and Restoration~~ council shall give
 2911 increased priority to:

2912 (a) those Projects for which matching funds are available.

2913 (b) ~~and to~~ Project elements previously identified on an
 2914 acquisition list pursuant to this section that can be acquired
 2915 at 80 percent or less of appraised value.

2916 (c) Projects that can be acquired in less than fee
 2917 ownership, such as a permanent conservation easement.

2918 (d) Projects that contribute to improving the quality and
 2919 quantity of surface water and groundwater.

2920 (e) Projects that contribute to improving the water
 2921 quality and flow of springs.

2922 (f) The council shall also give increased priority to
 2923 those Projects for which ~~where~~ the state's land conservation
 2924 plans overlap with the military's need to protect lands, water,
 2925 and habitat to ensure the sustainability of military missions
 2926 including:

2927 1.(a) Protecting habitat on nonmilitary land for any
 2928 species found on military land that is designated as threatened
 2929 or endangered, or is a candidate for such designation under the
 2930 Endangered Species Act or any Florida statute;

2931 2.(b) Protecting areas underlying low-level military air
 2932 corridors or operating areas; and

2933 3.(e) Protecting areas identified as clear zones, accident
 2934 potential zones, and air installation compatible use buffer
 2935 zones delineated by our military partners, and for which federal
 2936 or other funding is available to assist with the project.

2937 (13) An affirmative vote of at least five members of the
 2938 ~~Acquisition and Restoration~~ council shall be required in order

2939 to place a ~~proposed~~ project submitted pursuant to subsection (7)
 2940 on the proposed project list developed pursuant to subsection
 2941 (8). Any member of the council who by family or a business
 2942 relationship has a connection with any project proposed to be
 2943 ranked shall declare such interest before ~~prior to~~ voting for a
 2944 project's inclusion on the list.

2945 (15) The ~~Acquisition and Restoration~~ council shall submit
 2946 to the board ~~of trustees~~, with its list of projects, a report
 2947 that includes, but need ~~shall~~ not be limited to, the following
 2948 information for each project listed:

2949 (i) A management policy statement for the project and a
 2950 management prospectus pursuant to s. 259.032(7)(c)
 2951 ~~259.032(7)(d)~~.

2952 (19) The ~~Acquisition and Restoration~~ council shall
 2953 recommend adoption of rules by the board ~~of trustees~~ necessary
 2954 to implement ~~the provisions of~~ this section relating to:
 2955 solicitation, scoring, selecting, and ranking of Florida Forever
 2956 project proposals; disposing of or leasing lands or water areas
 2957 selected for funding through the Florida Forever program; and
 2958 the process of reviewing and recommending for approval or
 2959 rejection the land management plans associated with publicly
 2960 owned properties. ~~Rules promulgated pursuant to this subsection~~
 2961 ~~shall be submitted to the President of the Senate and the~~
 2962 ~~Speaker of the House of Representatives, for review by the~~
 2963 ~~Legislature, no later than 30 days prior to the 2010 Regular~~
 2964 ~~Session and shall become effective only after legislative~~

2965 ~~review. In its review, the Legislature may reject, modify, or~~
 2966 ~~take no action relative to such rules. The board of trustees~~
 2967 ~~shall conform such rules to changes made by the Legislature, or,~~
 2968 ~~if no action was taken by the Legislature, such rules shall~~
 2969 ~~become effective.~~

2970 Section 23. Subsections (6) and (7) of section 259.1052,
 2971 Florida Statutes, are amended to read:

2972 259.1052 Babcock Crescent B Ranch Florida Forever
 2973 acquisition; conditions for purchase.-

2974 ~~(6) In addition to distributions authorized under s.~~
 2975 ~~259.105(3), the Department of Environmental Protection is~~
 2976 ~~authorized to distribute \$310 million in revenues from the~~
 2977 ~~Florida Forever Trust Fund. This distribution shall represent~~
 2978 ~~payment in full for the portion of the Babcock Crescent B Ranch~~
 2979 ~~to be acquired by the state under this section.~~

2980 ~~(7) As used in this section, the term "state's portion of~~
 2981 ~~the Babcock Crescent B Ranch" comprises those lands to be~~
 2982 ~~conveyed by special warranty deed to the Board of Trustees of~~
 2983 ~~the Internal Improvement Trust Fund under the provisions of the~~
 2984 ~~agreement for sale and purchase executed by the Board of~~
 2985 ~~Trustees of the Internal Improvement Trust Fund, the Fish and~~
 2986 ~~Wildlife Conservation Commission, the Department of Agriculture~~
 2987 ~~and Consumer Services, and the participating local government,~~
 2988 ~~as purchaser, and MSKP, III, a Florida corporation, as seller.~~

2989 Section 24. Paragraph (d) of subsection (1) of section
 2990 73.015, Florida Statutes, is amended to read:

2991 73.015 Presuit negotiation.—

2992 (1) Effective July 1, 2000, before an eminent domain
 2993 proceeding is brought under this chapter or chapter 74, the
 2994 condemning authority must attempt to negotiate in good faith
 2995 with the fee owner of the parcel to be acquired, must provide
 2996 the fee owner with a written offer and, if requested, a copy of
 2997 the appraisal upon which the offer is based, and must attempt to
 2998 reach an agreement regarding the amount of compensation to be
 2999 paid for the parcel.

3000 (d) Notwithstanding this subsection, with respect to lands
 3001 acquired under s. 253.025 ~~259.041~~, the condemning authority is
 3002 not required to give the fee owner the current appraisal before
 3003 executing an option contract.

3004 Section 25. Paragraph (b) of subsection (1) of section
 3005 125.355, Florida Statutes, is amended to read:

3006 125.355 Proposed purchase of real property by county;
 3007 confidentiality of records; procedure.—

3008 (1)

3009 (b) If the exemptions provided in this section are
 3010 utilized, the governing body shall obtain at least one appraisal
 3011 by an appraiser approved pursuant to s. 253.025 ~~253.025(6)(b)~~
 3012 for each purchase in an amount of not more than \$500,000. For
 3013 each purchase in an amount in excess of \$500,000, the governing
 3014 body shall obtain at least two appraisals by appraisers approved
 3015 pursuant to s. 253.025 ~~253.025(6)(b)~~. If the agreed purchase
 3016 price exceeds the average appraised price of the two appraisals,

3017 the governing body is required to approve the purchase by an
 3018 extraordinary vote. The governing body may, by ordinary vote,
 3019 exempt a purchase in an amount of \$100,000 or less from the
 3020 requirement for an appraisal.

3021 Section 26. Paragraph (b) of subsection (1) of section
 3022 166.045, Florida Statutes, is amended to read:

3023 166.045 Proposed purchase of real property by
 3024 municipality; confidentiality of records; procedure.—

3025 (1)

3026 (b) If the exemptions provided in this section are
 3027 utilized, the governing body shall obtain at least one appraisal
 3028 by an appraiser approved pursuant to s. 253.025 ~~253.025(6)(b)~~
 3029 for each purchase in an amount of not more than \$500,000. For
 3030 each purchase in an amount in excess of \$500,000, the governing
 3031 body shall obtain at least two appraisals by appraisers approved
 3032 pursuant to s. 253.025 ~~253.025(6)(b)~~. If the agreed purchase
 3033 price exceeds the average appraised price of the two appraisals,
 3034 the governing body is required to approve the purchase by an
 3035 extraordinary vote. The governing body may, by ordinary vote,
 3036 exempt a purchase in an amount of \$100,000 or less from the
 3037 requirement for an appraisal.

3038 Section 27. Subsection (2) of section 215.82, Florida
 3039 Statutes, is amended to read:

3040 215.82 Validation; when required.—

3041 (2) Any bonds issued pursuant to this act which are
 3042 validated shall be validated in the manner provided by chapter

3043 75. In actions to validate bonds to be issued in the name of the
 3044 State Board of Education under s. 9(a) and (d), Art. XII of the
 3045 State Constitution and bonds to be issued pursuant to chapter
 3046 259, the Land Conservation Program Act ~~of 1972~~, the complaint
 3047 shall be filed in the circuit court of the county where the seat
 3048 of state government is situated, the notice required to be
 3049 published by s. 75.06 shall be published only in the county
 3050 where the complaint is filed, and the complaint and order of the
 3051 circuit court shall be served only on the state attorney of the
 3052 circuit in which the action is pending. In any action to
 3053 validate bonds issued pursuant to s. 1010.62 or issued pursuant
 3054 to s. 9(a)(1), Art. XII of the State Constitution or issued
 3055 pursuant to s. 215.605 or s. 338.227, the complaint shall be
 3056 filed in the circuit court of the county where the seat of state
 3057 government is situated, the notice required to be published by
 3058 s. 75.06 shall be published in a newspaper of general
 3059 circulation in the county where the complaint is filed and in
 3060 two other newspapers of general circulation in the state, and
 3061 the complaint and order of the circuit court shall be served
 3062 only on the state attorney of the circuit in which the action is
 3063 pending; provided, however, that if publication of notice
 3064 pursuant to this section would require publication in more
 3065 newspapers than would publication pursuant to s. 75.06, such
 3066 publication shall be made pursuant to s. 75.06.

3067 Section 28. Section 215.965, Florida Statutes, is amended
 3068 to read:

3069 215.965 Disbursement of state moneys.—Except as provided
 3070 in s. 17.076, s. 253.025(17) ~~253.025(14)~~, ~~s. 259.041(18)~~, s.
 3071 717.124(4)(b) and (c), s. 732.107(5), or s. 733.816(5), all
 3072 moneys in the State Treasury shall be disbursed by state
 3073 warrant, drawn by the Chief Financial Officer upon the State
 3074 Treasury and payable to the ultimate beneficiary. This
 3075 authorization shall include electronic disbursement.

3076 Section 29. Subsection (8) of section 253.027, Florida
 3077 Statutes, is amended to read:

3078 253.027 Emergency archaeological property acquisition.—

3079 (8) WAIVER OF APPRAISALS OR SURVEYS.—The Board of Trustees
 3080 of the Internal Improvement Trust Fund may waive or limit any
 3081 appraisal or survey requirements in s. 253.025 ~~259.041~~, if
 3082 necessary to effectuate the purposes of this section. Fee simple
 3083 title is not required to be conveyed if some lesser interest
 3084 will allow the preservation of the archaeological resource.
 3085 Properties purchased pursuant to this section shall be
 3086 considered archaeologically unique or significant properties and
 3087 may be purchased under the provisions of s. 253.025(9)
 3088 ~~253.025(7)~~.

3089 Section 30. Section 253.7824, Florida Statutes, is amended
 3090 to read:

3091 253.7824 Sale of products; proceeds.—The Department of
 3092 Environmental Protection may authorize the removal and sale of
 3093 products from the land where environmentally appropriate, the
 3094 proceeds from which shall be deposited into the appropriate

3095 trust fund in accordance with the same disposition provided
 3096 under s. 253.0341 ~~253.034(6)(k), (l), or (m)~~ applicable to the
 3097 sale of land.

3098 Section 31. Paragraphs (b) and (c) of subsection (2) of
 3099 section 260.015, Florida Statutes, are amended to read:

3100 260.015 Acquisition of land.—

3101 (2) For purposes of the Florida Greenways and Trails
 3102 Program, the board may:

3103 (b) Accept title to abandoned railroad rights-of-way which
 3104 is conveyed by quitclaim deed through purchase, dedication,
 3105 gift, grant, or settlement, notwithstanding s. 253.025
 3106 ~~259.041(1)~~.

3107 (c) Enter into an agreement or, upon delegation, the
 3108 department may enter into an agreement, with a nonprofit
 3109 corporation, as defined in s. 253.025 ~~259.041(7)(e)~~, to assume
 3110 responsibility for acquisition of lands pursuant to this
 3111 section. The agreement may transfer responsibility for all
 3112 matters which may be delegated or waived pursuant to s. 253.025
 3113 ~~259.041(1)~~.

3114 Section 32. Paragraph (b) of subsection (3) of section
 3115 260.016, Florida Statutes, is amended to read:

3116 260.016 General powers of the department.—

3117 (3) The department or its designee is authorized to
 3118 negotiate with potentially affected private landowners as to the
 3119 terms under which such landowners would consent to the public
 3120 use of their lands as part of the greenways and trails system.

3121 The department shall be authorized to agree to incentives for a
 3122 private landowner who consents to this public use of his or her
 3123 lands for conservation or recreational purposes, including, but
 3124 not limited to, the following:

3125 (b) Agreement to exchange, subject to the approval of the
 3126 board ~~of Trustees of the Internal Improvement Trust Fund~~ or
 3127 other applicable unit of government, ownership or other rights
 3128 of use of public lands for the ownership or other rights of use
 3129 of privately owned lands. Any exchange of state-owned lands,
 3130 title to which is vested in the board ~~of Trustees of the~~
 3131 ~~Internal Improvement Trust Fund~~, for privately owned lands shall
 3132 be subject to the requirements of s. 253.025 ~~259.041~~.

3133 Section 33. Subsections (6) and (7) of section 369.317,
 3134 Florida Statutes, are amended to read:

3135 369.317 Wekiva Parkway.—

3136 (6) The Central Florida Expressway Authority is hereby
 3137 granted the authority to act as a third-party acquisition agent,
 3138 pursuant to s. 253.025 ~~259.041~~ on behalf of the Board of
 3139 Trustees of the Internal Improvement Trust Fund or chapter 373
 3140 on behalf of the governing board of the St. Johns River Water
 3141 Management District, for the acquisition of all necessary lands,
 3142 property and all interests in property identified herein,
 3143 including fee simple or less-than-fee simple interests. The
 3144 lands subject to this authority are identified in paragraph
 3145 10.a., State of Florida, Office of the Governor, Executive Order
 3146 03-112 of July 1, 2003, and in Recommendation 16 of the Wekiva

3147 Basin Area Task Force created by Executive Order 2002-259, such
 3148 lands otherwise known as Neighborhood Lakes, a 1,587+/-acre
 3149 parcel located in Orange and Lake Counties within Sections 27,
 3150 28, 33, and 34 of Township 19 South, Range 28 East, and Sections
 3151 3, 4, 5, and 9 of Township 20 South, Range 28 East; Seminole
 3152 Woods/Swamp, a 5,353+/-acre parcel located in Lake County within
 3153 Section 37, Township 19 South, Range 28 East; New Garden Coal; a
 3154 1,605+/-acre parcel in Lake County within Sections 23, 25, 26,
 3155 35, and 36, Township 19 South, Range 28 East; Pine Plantation, a
 3156 617+/-acre tract consisting of eight individual parcels within
 3157 the Apopka City limits. The Department of Transportation, the
 3158 Department of Environmental Protection, the St. Johns River
 3159 Water Management District, and other land acquisition entities
 3160 shall participate and cooperate in providing information and
 3161 support to the third-party acquisition agent. The land
 3162 acquisition process authorized by this paragraph shall begin no
 3163 later than December 31, 2004. Acquisition of the properties
 3164 identified as Neighborhood Lakes, Pine Plantation, and New
 3165 Garden Coal, or approval as a mitigation bank shall be concluded
 3166 no later than December 31, 2010. Department of Transportation
 3167 and Central Florida Expressway Authority funds expended to
 3168 purchase an interest in those lands identified in this
 3169 subsection shall be eligible as environmental mitigation for
 3170 road construction related impacts in the Wekiva Study Area. If
 3171 any of the lands identified in this subsection are used as
 3172 environmental mitigation for road-construction-related impacts

3173 incurred by the Department of Transportation or Central Florida
3174 Expressway Authority, or for other impacts incurred by other
3175 entities, within the Wekiva Study Area or within the Wekiva
3176 parkway alignment corridor, and if the mitigation offsets these
3177 impacts, the St. Johns River Water Management District and the
3178 Department of Environmental Protection shall consider the
3179 activity regulated under part IV of chapter 373 to meet the
3180 cumulative impact requirements of s. 373.414(8)(a).

3181 (a) Acquisition of the land described in this section is
3182 required to provide right-of-way for the Wekiva Parkway, a
3183 limited access roadway linking State Road 429 to Interstate 4,
3184 an essential component in meeting regional transportation needs
3185 to provide regional connectivity, improve safety, accommodate
3186 projected population and economic growth, and satisfy critical
3187 transportation requirements caused by increased traffic volume
3188 growth and travel demands.

3189 (b) Acquisition of the lands described in this section is
3190 also required to protect the surface water and groundwater
3191 resources of Lake, Orange, and Seminole counties, otherwise
3192 known as the Wekiva Study Area, including recharge within the
3193 springshed that provides for the Wekiva River system. Protection
3194 of this area is crucial to the long term viability of the Wekiva
3195 River and springs and the central Florida region's water supply.
3196 Acquisition of the lands described in this section is also
3197 necessary to alleviate pressure from growth and development
3198 affecting the surface and groundwater resources within the

3199 recharge area.

3200 (c) Lands acquired pursuant to this section that are
 3201 needed for transportation facilities for the Wekiva Parkway
 3202 shall be determined not necessary for conservation purposes
 3203 pursuant to ss. 253.0341 ~~253.034(6)~~ and 373.089(5) and shall be
 3204 transferred to or retained by the Central Florida Expressway
 3205 Authority or the Department of Transportation upon reimbursement
 3206 of the full purchase price and acquisition costs.

3207 (7) The Department of Transportation, the Department of
 3208 Environmental Protection, the St. Johns River Water Management
 3209 District, Central Florida Expressway Authority, and other land
 3210 acquisition entities shall cooperate and establish funding
 3211 responsibilities and partnerships by agreement to the extent
 3212 funds are available to the various entities. Properties acquired
 3213 with Florida Forever funds shall be in accordance with s.
 3214 253.025 ~~259.041~~ or chapter 373. The Central Florida Expressway
 3215 Authority shall acquire land in accordance with this section ~~of~~
 3216 ~~law~~ to the extent funds are available from the various funding
 3217 partners; however, the authority is, ~~but shall not be~~ required
 3218 or not assumed to fund the land acquisition beyond the agreement
 3219 and funding provided by the various land acquisition entities.

3220 Section 34. Paragraph (a) of subsection (3) of section
 3221 373.139, Florida Statutes, is amended to read:

3222 373.139 Acquisition of real property.—

3223 (3) The initial 5-year work plan and any subsequent
 3224 modifications or additions thereto shall be adopted by each

3225 water management district after a public hearing. Each water
 3226 management district shall provide at least 14 days' advance
 3227 notice of the hearing date and shall separately notify each
 3228 county commission within which a proposed work plan project or
 3229 project modification or addition is located of the hearing date.

3230 (a) Appraisal reports, offers, and counteroffers are
 3231 confidential and exempt from ~~the provisions of~~ s. 119.07(1)
 3232 until an option contract is executed or, if no option contract
 3233 is executed, until 30 days before a contract or agreement for
 3234 purchase is considered for approval by the governing board.
 3235 However, each district may, at its discretion, disclose
 3236 appraisal reports to private landowners during negotiations for
 3237 acquisitions using alternatives to fee simple techniques, if the
 3238 district determines that disclosure of such reports will bring
 3239 the proposed acquisition to closure. If ~~In the event that~~
 3240 negotiation is terminated by the district, the appraisal report,
 3241 offers, and counteroffers shall become available pursuant to s.
 3242 119.07(1). Notwithstanding ~~the provisions of~~ this section and s.
 3243 253.025 ~~259.041~~, a district and the Division of State Lands may
 3244 share and disclose appraisal reports, appraisal information,
 3245 offers, and counteroffers when joint acquisition of property is
 3246 contemplated. A district and the Division of State Lands shall
 3247 maintain the confidentiality of such appraisal reports,
 3248 appraisal information, offers, and counteroffers in conformance
 3249 with this section and s. 253.025 ~~259.041~~, except in those cases
 3250 in which a district and the division have exercised discretion

3251 to disclose such information. A district may disclose appraisal
3252 information, offers, and counteroffers to a third party who has
3253 entered into a contractual agreement with the district to work
3254 with or on the behalf of or to assist the district in connection
3255 with land acquisitions. The third party shall maintain the
3256 confidentiality of such information in conformance with this
3257 section. In addition, a district may use, as its own, appraisals
3258 obtained by a third party provided the appraiser is selected
3259 from the district's list of approved appraisers and the
3260 appraisal is reviewed and approved by the district.

3261 Section 35. Subsection (8) of section 375.031, Florida
3262 Statutes, is amended to read:

3263 375.031 Acquisition of land; procedures.—

3264 (8) The department may, if it deems it desirable and in
3265 the best interest of the program, request the board of trustees
3266 to sell or otherwise dispose of any lands or water storage areas
3267 acquired under this act. The board of trustees, when so
3268 requested, shall offer the lands or water storage areas, on such
3269 terms as the department may determine, first to other state
3270 agencies and then, if still available, to the county or
3271 municipality in which the lands or water storage areas lie. If
3272 not acquired by another state agency or local governmental body
3273 for beneficial public purposes, the lands or water storage areas
3274 shall then be offered by the board of trustees at public sale,
3275 after first giving notice of such sale by publication in a
3276 newspaper published in the county or counties in which such

3277 lands or water storage areas lie not less than once a week for 3
 3278 consecutive weeks. All proceeds from the sale or disposition of
 3279 any lands or water storage areas pursuant to this section shall
 3280 be deposited into the appropriate trust fund pursuant to s.
 3281 253.0341 ~~253.034(6)(k), (l), or (m)~~.

3282 Section 36. Subsection (2) of section 375.041, Florida
 3283 Statutes, is amended to read:

3284 375.041 Land Acquisition Trust Fund.—

3285 (2) All moneys and revenue from the sale or other
 3286 disposition of land, water areas, or related resources acquired
 3287 on or after July 1, 2015, for the purposes of s. 28, Art. X of
 3288 the State Constitution shall be deposited into or credited to
 3289 the Land Acquisition Trust Fund, except as otherwise provided
 3290 pursuant to s. 253.0341 ~~253.034(6)(l)~~.

3291 Section 37. Paragraph (a) of subsection (1) of section
 3292 380.05, Florida Statutes, is amended to read:

3293 380.05 Areas of critical state concern.—

3294 (1)(a) The state land planning agency may from time to
 3295 time recommend to the Administration Commission specific areas
 3296 of critical state concern. In its recommendation, the agency
 3297 shall include recommendations with respect to the purchase of
 3298 lands situated within the boundaries of the proposed area as
 3299 environmentally endangered lands and outdoor recreation lands
 3300 under the Land Conservation Program Act ~~of 1972~~. The agency also
 3301 shall include any report or recommendation of a resource
 3302 planning and management committee appointed pursuant to s.

3303 380.045; the dangers that would result from uncontrolled or
 3304 inadequate development of the area and the advantages that would
 3305 be achieved from the development of the area in a coordinated
 3306 manner; a detailed boundary description of the proposed area;
 3307 specific principles for guiding development within the area; an
 3308 inventory of lands owned by the state, federal, county, and
 3309 municipal governments within the proposed area; and a list of
 3310 the state agencies with programs that affect the purpose of the
 3311 designation. The agency shall recommend actions which the local
 3312 government and state and regional agencies must accomplish in
 3313 order to implement the principles for guiding development. These
 3314 actions may include, but need ~~shall~~ not be limited to, revisions
 3315 of the local comprehensive plan and adoption of land development
 3316 regulations, density requirements, and special permitting
 3317 requirements.

3318 Section 38. Paragraph (b) of subsection (5) of section
 3319 380.055, Florida Statutes, is amended to read:

3320 380.055 Big Cypress Area.—

3321 (5) ACQUISITION OF BIG CYPRESS NATIONAL PRESERVE.—

3322 (b) The Board of Trustees of the Internal Improvement
 3323 Trust Fund shall set aside from the proceeds of the full faith
 3324 and credit bonds authorized by the Land Conservation Program Act
 3325 ~~of 1972~~, or from other funds authorized, appropriated, or
 3326 allocated for the acquisition of environmentally endangered
 3327 lands, or from both sources, \$40 million for acquisition of the
 3328 area proposed as the Federal Big Cypress National Preserve,

3329 Florida, or portions thereof.

3330 Section 39. Paragraph (f) of subsection (4) of section
 3331 380.508, Florida Statutes, is amended to read:

3332 380.508 Projects; development, review, and approval.—

3333 (4) Projects or activities which the trust undertakes,
 3334 coordinates, or funds in any manner shall comply with the
 3335 following guidelines:

3336 (f) The trust shall cooperate with local governments,
 3337 state agencies, federal agencies, and nonprofit organizations in
 3338 ensuring the reservation of lands for parks, recreation, fish
 3339 and wildlife habitat, historical preservation, or scientific
 3340 study. If any local government, state agency, federal agency, or
 3341 nonprofit organization is unable, due to limited financial
 3342 resources or other circumstances of a temporary nature, to
 3343 acquire a site for the purposes described in this paragraph, the
 3344 trust may acquire and hold the site for subsequent conveyance to
 3345 the appropriate governmental agency or nonprofit organization.
 3346 The trust may provide such technical assistance as required to
 3347 aid local governments, state and federal agencies, and nonprofit
 3348 organizations in completing acquisition and related functions.
 3349 The trust may not reserve lands acquired in accordance with this
 3350 paragraph for more than 5 years from the time of acquisition. A
 3351 local government, federal or state agency, or nonprofit
 3352 organization may acquire the land at any time during this period
 3353 for public purposes. The purchase price shall be based upon the
 3354 trust's cost of acquisition, plus administrative and management

3355 costs in reserving the land. The payment of the purchase price
 3356 shall be by money, trust-approved property of an equivalent
 3357 value, or a combination of money and trust-approved property.
 3358 If, after the 5-year period, the trust has not sold to a
 3359 governmental agency or nonprofit organization land acquired for
 3360 site reservation, the trust shall dispose of such land at fair
 3361 market value or shall trade it for other land of comparable
 3362 value which will serve to accomplish the purposes of this part.
 3363 Any proceeds from the sale of such land received by the
 3364 department shall be deposited into the appropriate trust fund
 3365 pursuant to s. 253.0341 ~~253.034(6)(k), (l), or (m)~~.

3366
 3367 Project costs may include costs of providing parks, open space,
 3368 public access sites, scenic easements, and other areas and
 3369 facilities serving the public where such features are part of a
 3370 project plan approved according to this part. In undertaking or
 3371 coordinating projects or activities authorized by this part, the
 3372 trust shall, when appropriate, use and promote the use of
 3373 creative land acquisition methods, including the acquisition of
 3374 less than fee interest through, among other methods,
 3375 conservation easements, transfer of development rights, leases,
 3376 and leaseback arrangements. The trust shall assist local
 3377 governments in the use of sound alternative methods of financing
 3378 for funding projects and activities authorized under this part.
 3379 Any funds over and above eligible project costs, which remain
 3380 after completion of a project approved according to this part,

3381 shall be transmitted to the state and deposited into the Florida
 3382 Forever Trust Fund.

3383 Section 40. Section 589.07, Florida Statutes, is amended
 3384 to read:

3385 589.07 Florida Forest Service may acquire lands for forest
 3386 purposes.—The Florida Forest Service, on behalf of the state and
 3387 subject to the restrictions mentioned in s. 589.08, may acquire
 3388 lands, suitable for state forest purposes, by gift, donation,
 3389 contribution, purchase, or otherwise and may enter into
 3390 agreements with the Federal Government, or other agency, for
 3391 acquiring by gift, purchase, or otherwise, such lands as are, in
 3392 the judgment of the Florida Forest Service, suitable and
 3393 desirable for state forests. The acquisition procedures for
 3394 state lands provided in s. 253.025 ~~259.041~~ do not apply to
 3395 acquisition of land by the Florida Forest Service.

3396 Section 41. Paragraphs (a) and (b) of subsection (4) of
 3397 section 944.10, Florida Statutes, are amended to read:

3398 944.10 Department of Corrections to provide buildings;
 3399 sale and purchase of land; contracts to provide services and
 3400 inmate labor.—

3401 (4) (a) Notwithstanding s. 253.025 or s. 287.057, whenever
 3402 the department finds it to be necessary for timely site
 3403 acquisition, it may contract without the need for competitive
 3404 selection with one or more appraisers whose names are contained
 3405 on the list of approved appraisers maintained by the Division of
 3406 State Lands of the Department of Environmental Protection in

3407 accordance with s. 253.025(8) ~~253.025(6)(b)~~. In those instances
 3408 in which the department directly contracts for appraisal
 3409 services, it must also contract with an approved appraiser who
 3410 is not employed by the same appraisal firm for review services.

3411 (b) Notwithstanding s. 253.025(8) ~~253.025(6)~~, the
 3412 department may negotiate and enter into an option contract
 3413 before an appraisal is obtained. The option contract must state
 3414 that the final purchase price cannot exceed the maximum value
 3415 allowed by law. The consideration for such an option contract
 3416 may not exceed 10 percent of the estimate obtained by the
 3417 department or 10 percent of the value of the parcel, whichever
 3418 amount is greater.

3419 Section 42. Subsections (6) and (7) of section 957.04,
 3420 Florida Statutes, are amended to read:

3421 957.04 Contract requirements.—

3422 (6) Notwithstanding s. 253.025(9) ~~253.025(7)~~, the Board of
 3423 Trustees of the Internal Improvement Trust Fund need not approve
 3424 a lease-purchase agreement negotiated by the Department of
 3425 Management Services if the Department of Management Services
 3426 finds that there is a need to expedite the lease-purchase.

3427 (7)(a) Notwithstanding s. 253.025 or s. 287.057, whenever
 3428 the Department of Management Services finds it to be in the best
 3429 interest of timely site acquisition, it may contract without the
 3430 need for competitive selection with one or more appraisers whose
 3431 names are contained on the list of approved appraisers
 3432 maintained by the Division of State Lands of the Department of

3433 Environmental Protection in accordance with s. 253.025(8)
3434 ~~253.025(6)(b)~~. In those instances when the Department of
3435 Management Services directly contracts for appraisal services,
3436 it shall also contract with an approved appraiser who is not
3437 employed by the same appraisal firm for review services.

3438 (b) Notwithstanding s. 253.025(8) ~~253.025(6)~~, the
3439 Department of Management Services may negotiate and enter into
3440 lease-purchase agreements before an appraisal is obtained. Any
3441 such agreement must state that the final purchase price cannot
3442 exceed the maximum value allowed by law.

3443 Section 43. Paragraphs (a) and (b) of subsection (12) of
3444 section 985.682, Florida Statutes, are amended to read:

3445 985.682 Siting of facilities; criteria.—

3446 (12) (a) Notwithstanding s. 253.025 or s. 287.057, when the
3447 department finds it necessary for timely site acquisition, it
3448 may contract, without using the competitive selection procedure,
3449 with an appraiser whose name is on the list of approved
3450 appraisers maintained by the Division of State Lands of the
3451 Department of Environmental Protection under s. 253.025(8)
3452 ~~253.025(6)(b)~~. When the department directly contracts for
3453 appraisal services, it must contract with an approved appraiser
3454 who is not employed by the same appraisal firm for review
3455 services.

3456 (b) Notwithstanding s. 253.025(8) ~~253.025(6)~~, the
3457 department may negotiate and enter into an option contract
3458 before an appraisal is obtained. The option contract must state

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3459 that the final purchase price may not exceed the maximum value
3460 allowed by law. The consideration for such an option contract
3461 may not exceed 10 percent of the estimate obtained by the
3462 department or 10 percent of the value of the parcel, whichever
3463 amount is greater.

3464 Section 44. Paragraph (b) of subsection (1) of section
3465 1013.14, Florida Statutes, is amended to read:

3466 1013.14 Proposed purchase of real property by a board;
3467 confidentiality of records; procedure.-

3468 (1)

3469 (b) Before ~~Prior to~~ acquisition of the property, the board
3470 shall obtain at least one appraisal by an appraiser approved
3471 pursuant to s. 253.025(8) ~~253.025(6)(b)~~ for each purchase in an
3472 amount greater than \$100,000 and not more than \$500,000. For
3473 each purchase in an amount in excess of \$500,000, the board
3474 shall obtain at least two appraisals by appraisers approved
3475 pursuant to s. 253.025(8) ~~253.025(6)(b)~~. If the agreed to
3476 purchase price exceeds the average appraised value, the board is
3477 required to approve the purchase by an extraordinary vote.

3478 Section 45. This act shall take effect July 1, 2016.