

BALLOT TITLE:

Water and Land Conservation - Dedicates funds to acquire and restore Florida conservation and recreation lands

BALLOT SUMMARY:

Funds the Land Acquisition Trust Fund to protect conservation lands of the State by acquiring and managing lands that protect: wetlands; fish and wildlife habitat; water resources and drinking water sources, including the Everglades, and the water quality of rivers, lakes, and streams; beach and shoreline habitats; nature-based recreation; working farms and ranches; historic or geologic sites, by dedicating 33 percent of net revenues from the existing excise tax on documents for 20 years.

FULL TEXT:

SECTION 28. Land Acquisition Trust Fund. --

- a) It shall be the policy of this State to fund the acquisition of land so that the natural resources of acquired conservation lands can be preserved for future generations of Floridians. This section is intended to accomplish this purpose by directing the State to fund the management of those lands so acquired, as well as the existing portfolio of conservation lands of the State, so that conservation lands of the State will maintain the same conservation value as when they were acquired.
- b) Effective on July 1 of the year following passage of this amendment by the voters, and for a period of 20 years after that effective date, the Land Acquisition Trust Fund shall receive no less than 33 percent of net revenues derived from the existing excise tax on documents, as defined in the statutes in effect on January 1, 2012, as amended from time to time, or any successor or replacement tax, after the Department of Revenue first deducts a service charge to pay the costs of the collection and enforcement of the excise tax on documents.
- c) Definitions
 - 1) "Conservation lands" means land, or an interest in land, that is held by the State or unit of local government for the purpose of: restoring, protecting, enhancing or providing recreational access to the natural resource values of that land; or its importance in protecting or providing recreational access to the natural resource values of adjacent lands held by the State or unit of local government.
 - 2) "Management" means those actions taken by a landowner to protect and further their interest in, and goals for, the land. For the purposes of this Article, conservation land management means those actions needed to restore, protect, enhance or provide recreational access to the natural resource values of that conservation land.

- 3) “Maintenance state” means the conservation land is in such a condition that it requires minimal additional management to keep intact its natural and recreational values.
 - 4) “Reasonable access” means that access to the conservation land afforded the public which grants the ability and opportunity to appreciate and enjoy the conservation land values and amenities, and which does not significantly impair those natural values on which that recreation depends.
- d) Funds in the Land Acquisition Trust Fund shall first be used to pay existing annual debt service on Florida Forever and Preservation 2000 bonds issued pursuant to Article VII, Section 11(e) prior to November 4, 2014. The funds remaining after the payment of any existing annual debt service shall be divided and expended in the following manner and only for the following purposes:
- 1) Sixty percent of the revenue collected from the excise tax on documents and placed in the Land Acquisition Trust Fund shall be expended entirely for the acquisition, or financing of the acquisition, of land, water areas, and related property interests, including conservation easements, for the following purposes:
 - i) Create wildlife management areas;
 - ii) Preserve lands that protect water resources and drinking water sources, including lands protecting the water quality and quantity of rivers, lakes, streams, springsheds, and lands providing recharge for groundwater and aquifer systems;
 - iii) Preserve lands in the Everglades Agricultural Area and the Everglades Protection Area, as defined in Article II, Section 7(b);
 - iv) Preserve Beach and shoreline habitats;
 - v) Create nature-based recreation lands, including recreational trails, parks, and urban open space;
 - vi) Preserve rural landscapes, including working farms and ranches; and
 - vii) Protect historic or geologic sites.
 - 2) Twenty percent of the revenue collected from the excise tax on documents and placed in the Land Acquisition Trust Fund shall be expended entirely on improvements to, or the financing of improvements to, conservation land acquired with excise tax revenue out of the Land Acquisition Trust Fund. Improvements shall only be made and funded for the purpose of bringing newly acquired conservation land into a maintenance state and providing reasonable access for the public.
 - 3) Ten percent of the revenue collected from the excise tax on documents and placed in the Land Acquisition Trust Fund shall be expended entirely on management of properties acquired with excise tax revenue in the Land Acquisition Trust Fund or as additional funding for management of existing conservation lands.

- 4) Ten percent of the revenue collected from the excise tax on documents and placed in the Land Acquisition Trust Fund shall be held in trust for the duration of the 20 year excise tax program, with the interest from the trust fund being used for payments in lieu of taxes. At the expiration of the 20 year funding program, the principal shall be used to continue the management of conservation lands acquired using the excise tax revenue held in the Land Acquisition Trust Fund under this program.
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- e) The moneys deposited into the Land Acquisition Trust Fund, as defined by the statutes in effect on January 1, 2012, shall not be or become commingled with the General Revenue Fund of the state.
 - f) The moneys described hereinabove shall not be used to replace current expenditures of the State on any of the activities described hereinabove.