

1 A bill to be entitled
2 An act relating to implementing the fiscal year
3 1997-1998 General Appropriations Act in the
4 area of general government; providing
5 legislative intent; amending s. 372.672, F.S.;
6 authorizing the appropriation of certain funds
7 from the Florida Panther Research and
8 Management Trust Fund to reimburse certain
9 expenses relating to Texas cougars originally
10 purchased as part of the Florida panther
11 research and management program; providing for
12 future repeal; amending s. 259.032, F.S.;
13 authorizing the appropriation of certain funds
14 in the Conservation and Recreation Lands Trust
15 Fund for outdoor-recreation grants; providing
16 for future repeal; amending s. 376.11, F.S.;
17 authorizing the transfer of certain funds from
18 the Florida Coastal Protection Trust Fund to
19 the Ecosystem Management and Restoration Trust
20 Fund to fund beach inlet protection; amending
21 s. 259.032, F.S.; authorizing payment in lieu
22 of taxes from the Conservation and Recreation
23 Lands Trust Fund to counties with
24 privately-owned and operated prisons leased to
25 the state under certain circumstances;
26 providing for future repeal; providing
27 severability; providing an effective date.

28
29 Be It Enacted by the Legislature of the State of Florida:
30
31

1 Section 1. It is the intent of the Legislature that
2 the implementing and administering provisions of this act
3 apply to the fiscal year 1997-1998 General Appropriations Act
4 in the area of general government.

5 Section 2. In order to implement Specific
6 Appropriation 1388 of the 1997-1998 General Appropriations
7 Act, subsection (4) is added to section 372.672, Florida
8 Statutes, to read:

9 372.672 Florida Panther Research and Management Trust
10 Fund.--

11 (4) Notwithstanding subsection (2), for the 1997-1998
12 fiscal year only, up to \$50,000 may be appropriated from the
13 fund to reimburse expenses incurred in recovering, housing,
14 and maintaining Texas cougars originally purchased as part of
15 the Florida panther research and management program. This
16 subsection is repealed on July 1, 1998.

17 Section 3. In order to implement Specific
18 Appropriation 1332 of the 1997-1998 General Appropriations
19 Act, subsection (15) of section 259.032, Florida Statutes,
20 1996 Supplement, is amended to read:

21 259.032 Conservation and Recreation Lands Trust Fund;
22 purpose.--

23 (15) For fiscal year 1997-1998 ~~1996-1997~~ only, moneys
24 credited to the fund may be appropriated to provide grants to
25 qualified local governmental entities pursuant to the
26 provisions of s. 375.075. This subsection is repealed on July
27 1, 1998 ~~1997~~.

28 Section 4. In order to implement Specific
29 Appropriation 1273 of the 1997-1998 General Appropriations
30 Act, subsection (7) is added to section 376.11, Florida
31 Statutes, 1996 Supplement, to read:

1 376.11 Florida Coastal Protection Trust Fund.--
2 (7) Notwithstanding subsection (4), for the 1997-1998
3 fiscal year only, up to \$10 million may be transferred by
4 legislative appropriation from the fund to the Ecosystem
5 Management and Restoration Trust Fund for the purpose of
6 funding beach inlet protection. This subsection is repealed on
7 July 1, 1998.

8 Section 5. In order to implement specific
9 appropriation 1213, subsection (12) of section 259.032,
10 Florida Statutes, is amended to read:

11 259.032 Conservation and Recreation Lands Trust Fund;
12 purpose.--

13 (12)(a) Beginning in fiscal year 1994-1995, not more
14 than 3.75 percent of the Conservation and Recreation Lands
15 Trust Fund shall be made available annually to the department
16 for payment in lieu of taxes to qualifying counties, cities,
17 and local governments as defined in paragraph (b) for actual
18 tax losses incurred as a result of board of trustees
19 acquisitions for state agencies under the Florida Preservation
20 2000 Program during any year. Reserved funds not used for
21 payments in lieu of taxes in any year shall revert to the fund
22 to be used for land acquisition in accordance with the
23 provisions of this section.

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

25 1. To counties which levy an ad valorem tax of at
26 least 9 mills or the amount of the tax loss from all completed
27 Preservation 2000 acquisitions in the county exceeds 0.01
28 percent of the county's total taxable value, and have a
29 population of 75,000 or less and

30 2. To counties with a population of less than 100,000
31 which contain all or a portion of an area of critical state

1 concern designated pursuant to chapter 380 and to local
2 governments within such counties.

3 3. For the 1997-98 fiscal year only, and
4 notwithstanding the limitations of paragraph (a), to any
5 county where a privately-owned and operated prison leased to
6 the state has been opened within the last 2 years for which no
7 other state moneys have been allocated to the county to offset
8 lost ad valorem revenues. This subparagraph is repealed on
9 July 1, 1998.

10
11 For the purposes of this paragraph, "local government"
12 includes municipalities, the county school board, mosquito
13 control districts, and any other local government entity which
14 levies ad valorem taxes, with the exception of a water
15 management district.

16 (c) Payment in lieu of taxes shall be available to any
17 city which has a population of 10,000 or less and which levies
18 an ad valorem tax of at least 9 mills or the amount of the tax
19 loss from all completed Preservation 2000 acquisitions in the
20 city exceeds 0.01 percent of the city's total taxable value.

21 (d) If insufficient funds are available in any year to
22 make full payments to all qualifying counties, cities, and
23 local governments, such counties, cities, and local
24 governments shall receive a pro rata share of the moneys
25 available.

26 (e) The payment amount shall be based on the average
27 amount of actual taxes paid on the property for the 3 years
28 preceding acquisition. Applications for payment in lieu of
29 taxes shall be made no later than January 31 of the year
30 following acquisition. No payment in lieu of taxes shall be
31 made for properties which were exempt from ad valorem taxation

1 for the year immediately preceding acquisition. If property
 2 which was subject to ad valorem taxation was acquired by a
 3 tax-exempt entity for ultimate conveyance to the state under
 4 this chapter, payment in lieu of taxes shall be made for such
 5 property based upon the average amount of taxes paid on the
 6 property for the 3 years prior to its being removed from the
 7 tax rolls. The department shall certify to the Department of
 8 Revenue those properties that may be eligible under this
 9 provision. Payment in lieu of taxes shall be limited to a
 10 total of 10 years of annual payments.

11 (f) Payment in lieu of taxes pursuant to this
 12 paragraph shall be made annually to qualifying counties,
 13 cities, and local governments after certification by the
 14 Department of Revenue that the amounts applied for are
 15 reasonably appropriate, based on the amount of actual taxes
 16 paid on the eligible property, and after the Department of
 17 Environmental Protection has provided supporting documents to
 18 the Comptroller and has requested that payment be made in
 19 accordance with the requirements of this section.

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

24 Section 6. If any provision of this act or the
 25 application thereof to any person or circumstance is held
 26 invalid, the invalidity shall not affect other provisions or
 27 applications of the act which can be given effect without the
 28 invalid provision or application, and to this end the
 29 provisions of this act are declared severable.

30
 31

1 Section 7. This act shall take effect July 1, 1997, or
2 in the event this act fails to become a law until after that
3 date, it shall operate retroactively thereto.
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31