

Bill No. CS for SB 2754

Amendment No. ____ Barcode 682334

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
		.	
2	05/01/2003	.	
	4/AD/2R	.	
	03:44 PM	.	
3		.	
		.	
4		.	
5	<hr/>		
6			
7			
8			
9			
10	<hr/>		
11	Senator Dockery moved the following amendment:		
12			
13	Senate Amendment (with title amendment)		
14	On page 18, line 3, through page 22, line 2, delete		
15	those lines		
16			
17	and insert:		
18	Section 6. Paragraph (c) of subsection (10) and		
19	subsections (12), (13), and (16) of section 259.032, Florida		
20	Statutes, are amended to read:		
21	259.032 Conservation and Recreation Lands Trust Fund;		
22	purpose.--		
23	(10)		
24	(c) Once a plan is adopted, the managing agency or		
25	entity shall update the plan at least every <u>10</u> 5 years in a		
26	form and manner prescribed by rule of the board of trustees.		
27	Such updates, for parcels over 160 acres, shall be developed		
28	with input from an advisory group. Such plans may include		
29	transfers of leasehold interests to appropriate conservation		
30	organizations or governmental entities designated by the Land		
31	Acquisition and Management Advisory Council or its successor,		

Bill No. CS for SB 2754

Amendment No. ____ Barcode 682334

1 for uses consistent with the purposes of the organizations and
2 the protection, preservation, conservation, restoration, and
3 proper management of the lands and their resources. Volunteer
4 management assistance is encouraged, including, but not
5 limited to, assistance by youths participating in programs
6 sponsored by state or local agencies, by volunteers sponsored
7 by environmental or civic organizations, and by individuals
8 participating in programs for committed delinquents and
9 adults.

10 (12)(a) Beginning July 1, 1999, the Legislature shall
11 make available sufficient funds annually from the Conservation
12 and Recreation Lands Trust Fund to the department for payment
13 in lieu of taxes to qualifying counties and local governments
14 as defined in paragraph (b) for all actual tax losses incurred
15 as a result of board of trustees acquisitions for state
16 agencies under the Florida Forever program or the Florida
17 Preservation 2000 program during any year. Reserved funds not
18 used for payments in lieu of taxes in any year shall revert to
19 the fund to be used for land ~~management acquisition~~ in
20 accordance with the provisions of this section.

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

22 1. To all counties that have a population of 150,000
23 or fewer. Population levels shall be determined pursuant to s.
24 11.031.

25 2. To all local governments located in eligible
26 counties.

27 3. To Glades County, where a privately owned and
28 operated prison leased to the state has recently been opened
29 and where privately owned and operated juvenile justice
30 facilities leased to the state have recently been constructed
31 and opened, a payment in lieu of taxes, in an amount that

Bill No. CS for SB 2754

Amendment No. ____ Barcode 682334

1 offsets the loss of property tax revenue, which funds have
2 already been appropriated and allocated from the Department of
3 Correction's budget for the purpose of reimbursing amounts
4 equal to lost ad valorem taxes.

5
6 ~~Counties and local governments that did not receive payments~~
7 ~~in lieu of taxes for lands purchased pursuant to s. 259.101~~
8 ~~during fiscal year 1999-2000, if such counties and local~~
9 ~~governments would have received payments pursuant to this~~
10 ~~subsection as that section existed on June 30, 1999, shall~~
11 ~~receive retroactive payments for such tax losses.~~

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

16 (d) The payment amount shall be based on the average
17 amount of actual taxes paid on the property for the 3 years
18 preceding acquisition. Applications for payment in lieu of
19 taxes shall be made no later than January 31 of the year
20 following acquisition. No payment in lieu of taxes shall be
21 made for properties which were exempt from ad valorem taxation
22 for the year immediately preceding acquisition.

23 (e) If property which was subject to ad valorem
24 taxation was acquired by a tax-exempt entity for ultimate
25 conveyance to the state under this chapter, payment in lieu of
26 taxes shall be made for such property based upon the average
27 amount of taxes paid on the property for the 3 years prior to
28 its being removed from the tax rolls. The department shall
29 certify to the Department of Revenue those properties that may
30 be eligible under this provision. Once eligibility has been
31 established, that county or local government shall receive 10

Bill No. CS for SB 2754

Amendment No. ____ Barcode 682334

1 consecutive annual payments for each tax loss, and no further
2 eligibility determination shall be made during that period.

3 ~~(f)(e)~~ Payment in lieu of taxes pursuant to this
4 subsection shall be made annually to qualifying counties and
5 local governments after certification by the Department of
6 Revenue that the amounts applied for are reasonably
7 appropriate, based on the amount of actual taxes paid on the
8 eligible property. With the assistance of the local government
9 requesting payment in lieu of taxes, the state agency that
10 acquired the land is responsible for preparing and submitting
11 application requests for payment to the Department of Revenue
12 for certification, and after the Department of Environmental
13 Protection has provided supporting documents to the
14 Comptroller and has requested that payment be made in
15 accordance with the requirements of this section.

16 ~~(g)(f)~~ If the board of trustees conveys to a local
17 government title to any land owned by the board, any payments
18 in lieu of taxes on the land made to the local government
19 shall be discontinued as of the date of the conveyance.

20
21 For the purposes of this subsection, "local government"
22 includes municipalities, the county school board, mosquito
23 control districts, and any other local government entity which
24 levies ad valorem taxes, with the exception of a water
25 management district.

26 (13) Moneys credited to the fund each year which are
27 not used for management, maintenance, or capital improvements
28 pursuant to subsection (11); for payment in lieu of taxes
29 pursuant to subsection (12); or for the purposes of subsection
30 (5), shall be available for the acquisition of land pursuant
31 to this section.

Bill No. CS for SB 2754

Amendment No. ____ Barcode 682334

1 ~~(16) Notwithstanding other provisions of law relating~~
2 ~~to the purpose of the Conservation and Recreation Lands Trust~~
3 ~~Fund, and for the 2002-2003 fiscal year only, the purposes of~~
4 ~~the trust fund shall include funding issues provided in the~~
5 ~~General Appropriations Act. This subsection expires July 1,~~
6 ~~2003.~~

7 Section 7. Section 259.0322, Florida Statutes, is
8 amended to read:

9 259.0322 Reinstitution of payments in lieu of taxes;
10 duration.--If the Department of Environmental Protection ~~or a~~
11 ~~water management district~~ has made a payment in lieu of taxes
12 to a governmental entity and subsequently suspended such
13 payment, the department ~~or water management district~~ shall
14 reinstitute appropriate payments and continue the payments in
15 consecutive years until the governmental entity has received a
16 total of 10 payments for each tax loss.

17
18

19 ===== T I T L E A M E N D M E N T =====

20 And the title is amended as follows:

21 On page 2, lines 11-13,, delete those lines

22

23 and insert:

24 updating land management plans; revising
25 provisions allowing the use of reverted funds;
26 requiring that state agencies

27

28

29

30

31