

By the Committee on Community Affairs; and Senator Bennett

578-1864-06

1 A bill to be entitled
2 An act relating to strategic asset land;
3 creating s. 253.0342, F.S.; providing
4 definitions; directing the Department of
5 Management Services to provide recommendations
6 to the the Board of Trustees of the Internal
7 Improvement Trust Fund and the Department of
8 Transportation regarding strategic asset land
9 of the board and the department; directing the
10 Department of Management Services to pursue
11 implementation of the management of such
12 strategic asset land; providing criteria
13 concerning such recommendations and management;
14 authorizing the Department of Management
15 Services to enter into contracts to assist in
16 such duties; directing the Department of
17 Environmental Protection, including the
18 Division of State Lands and the Department of
19 Transportation, to include the Department of
20 Management Services in the development and
21 maintenance of certain property inventories and
22 to provide that department with full and
23 necessary information and cooperation;
24 providing for application to the conservation
25 land exchange program implemented by the
26 Division of State Lands of the Department of
27 Environmental Protection and the Board of
28 Trustees of the Internal Improvement Trust
29 Fund; authorizing the board of trustees to
30 designate land as strategic asset management
31 land; providing for the deposition of proceeds

1 of certain transactions involving the strategic
2 asset land of the board of trustees and the
3 Department of Transportation into the Florida
4 Facilities Pool Working Capital Trust Fund;
5 providing for distribution and use of such
6 proceeds; providing an effective date.
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8 Be It Enacted by the Legislature of the State of Florida:
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10 Section 1. Section 253.0342, Florida Statutes, is
11 created to read:

12 253.0342 Strategic asset land management.--

13 (1) As used in this section, the term:

14 (a) "Land" includes any improvements thereon.

15 (b) "Strategic asset land" means an interest in real
16 property, title to which is or will be vested in the name of:

17 1. The Board of Trustees of the Internal Improvement
18 Trust Fund and:

19 a. Was acquired pursuant to the Florida Racketeer
20 Influenced and Corrupt Organization Act or the Murphy Act;

21 b. Is not designated by such board pursuant to this
22 chapter as strategic asset land, conservation land, sovereign
23 and state submerged land, land of the Cross Florida Barge
24 Canal, swamp and overflow land, or educational land; and

25 c. Is not leased for an agricultural or mining
26 purpose.

27 2. The Department of Transportation pursuant to ss.
28 337.25 and 337.29 and is not currently used for transportation
29 purposes or identified for a projected transportation use in
30 the work program of the Department of Transportation or
31 long-range transportation plans adopted under s. 339.135, s.

1 339.155, s. 339.175, s. 338.001, or s. 339.64. However,
2 property that is encumbered by specific restrictions
3 precluding the use of such property or proceeds from such
4 property for purposes other than transportation is excluded.

5 (2) As directed by the Board of Trustees of the
6 Internal Improvement Trust Fund for land identified in
7 subparagraph (1)(b)1. or the Department of Transportation for
8 land identified in subparagraph (1)(b)2., the Department of
9 Management Services shall provide recommendations for and
10 pursue implementation of the management of strategic asset
11 land with the purpose of promoting the effective and efficient
12 stewardship of the real property assets owned by this state.
13 The Department of Management Services may contract for
14 professional services as necessary and appropriate to assist
15 with the performance of these duties.

16 (3) In implementing subsection (2), the Department of
17 Management Services shall evaluate all strategic asset land
18 and:

19 (a) Explore cooperative ventures and market
20 opportunities that facilitate the effective and efficient
21 stewardship of such land by consulting with governments and
22 political subdivisions and, when appropriate, communicating
23 with the private sector.

24 (b) Identify potential uses for such land which are in
25 the best interest of the state, considering opportunities for
26 cooperative ventures and market disposition and the relative
27 value of the various ways that such land could be used,
28 including, but not limited to, its potential use as
29 conservation land or to facilitate the acquisition of
30 conservation land, for multiple or single purposes; for

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1 transportation purposes; or for the purposes of a governmental
2 entity.

3 (c) Propose the uses identified pursuant to paragraph
4 (b) to the Board of Trustees of the Internal Improvement Trust
5 Fund, for land identified in subparagraph (1)(b)1., and to the
6 Secretary of Transportation and the Governor, for land
7 identified in subparagraph(1)(b)2., as potential uses in the
8 best interest of this state.

9 (4) The Division of State Lands, the Department of
10 Environmental Protection, and the Department of Transportation
11 shall include the Department of Management Services in
12 developing and maintaining property inventories required by
13 ss. 253.0325 and 337.25 and provide the Department of
14 Management Services with all available information and full
15 cooperation as necessary to facilitate the effective and
16 efficient stewardship of strategic asset land.

17 (5) This section does not alter administration of the
18 land exchange program involving conservation land which is
19 administered by the Division of State Lands pursuant to s.
20 253.42. The Board of Trustees of the Internal Improvement
21 Trust Fund may designate land to which it holds title and
22 which is not in a conservation use as surplus and exchange
23 such surplus land to benefit the conservation land acquisition
24 program.

25 (6) The Board of Trustees of the Internal Improvement
26 Trust Fund may designate land to which it holds title as
27 strategic asset management land.

28 (7) Notwithstanding any other provision of law, the
29 proceeds from a transaction involving the disposition of
30 strategic asset land, which transaction was realized pursuant
31 to a proposal by the Department of Management Services under

1 paragraph (3)(c), shall be deposited in the Florida Facilities
2 Pool Working Capital Trust Fund and distributed by the
3 Department of Management Services as provided in this
4 subsection. Upon the execution of such a transaction,
5 sufficient amounts must be distributed to reimburse each party
6 for the costs incurred to execute the transaction, and
7 thereafter, remaining funds must be distributed as follows:

8 (a) Of the proceeds generated from disposition of land
9 identified in subparagraph (1)(b)1., 50 percent to the
10 Internal Improvement Trust Fund and 50 percent to the Florida
11 Facilities Pool Working Capital Trust Fund; and

12 (b) Of the proceeds and revenues generated from
13 disposition of land identified in subparagraph (1)(b)2., 50
14 percent to the State Transportation Trust Fund of the
15 Department of Transportation and 50 percent to the Florida
16 Facilities Pool Working Capital Trust Fund.

17 (8) The funds distributed to the Florida Facilities
18 Pool Working Capital Trust Fund pursuant to paragraphs (5)(a)
19 and (b) must be used by the Department of Management Services
20 to develop and operate the strategic asset land management
21 activities authorized by this section, to correct capital
22 deficiency needs of the Florida Facilities Pool, and to retire
23 debt and pay debt service charges incurred under the Florida
24 Building and Facilities Act.

25 Section 2. This act shall take effect July 1, 2006.
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 226

The committee substitute (CS) provides that certain non-conservation real property titled in the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and certain real property titled in the Florida Department of Transportation shall be designated as "strategic asset lands." The CS provides criteria for designating these properties as strategic asset lands. Also, the Board of Trustees is authorized to designate its holdings as "strategic asset management land."

Under this CS, the Department of Management Services (DMS) is authorized to manage real property designated as strategic asset management land and to contract for professional services to assist with these duties. The CS requires DMS to propose uses for strategic asset lands. If strategic asset lands are disposed of based on a DMS proposal, DMS receives 50 percent of any proceeds from the disposition of those lands. The CS requires the funds to be distributed to the Florida Facilities Pool Working Capital Trust Fund and specifies the purposes for which those funds may be used.