By the Committee on General Government Appropriations; and Senator Baker

601-03269-10 20101516c1 1 A bill to be entitled 2 An act relating to state-owned lands; amending s. 3 193.023, F.S.; requiring the property appraiser to 4 physically inspect any parcel of taxable or state-5 owned real property upon the request of the taxpayer 6 or owner; amending s. 193.085, F.S.; removing 7 provisions requiring the Department of Revenue to 8 notify property appraisers of state ownership of real 9 property; requiring local governments to notify 10 property appraisers of lands owned by the local government; amending s. 213.053, F.S.; authorizing the 11 12 Department of Revenue to disclose certain information 13 to the Department of Environmental Protection 14 regarding state-owned lands; amending s. 216.0152, 15 F.S.; requiring the Division of Real Estate 16 Development and Management in the Department of 17 Environmental Protection rather than the Department of Management Services to develop and maintain an 18 automated inventory of all facilities owned, leased, 19 20 rented, or otherwise occupied or maintained by any 21 agency of the state; requiring that the facilities 22 inventory data be provided to the department on or 23 before a specified date each year by the owning or 24 operating state agency; requiring the division to 25 adopt rules; directing the department to update its 26 inventory with information concerning the physical 27 condition of facilities that have 3,000 square feet or 28 more of usable space; requiring the department to 29 submit annually a report to the Governor and the

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30	Legislature which lists the state-owned real property
31	recommended for disposition; amending s. 253.03, F.S.;
32	requiring the Department of Revenue to furnish, in
33	electronic form, annual current tax roll data for
34	public lands to the Board of Trustees of the Internal
35	Improvement Trust Fund to be used in compiling the
36	inventory of public lands; requiring the board to use
37	tax roll data from the Department of Revenue to assist
38	in the identification and confirmation of publicly
39	held lands; amending s. 253.034, F.S.; removing
40	provisions relating to an inventory of public lands,
41	including federal lands, within the state; requiring
42	that a building or parcel of land be offered for lease
43	to state agencies, state universities, and community
44	colleges before being offered for lease, sublease, or
45	sale to a local or federal unit of government or a
46	private party; requiring that priority consideration
47	for such a lease be given to state universities and
48	community colleges; requiring that a state university
49	or community college submit a plan regarding the
50	intended use of such building or parcel of land for
51	review and approval by the Board of Trustees of the
52	Internal Improvement Trust Fund before approval of a
53	lease; providing that priority consideration be given
54	to the University of South Florida Polytechnic for the
55	lease of vacant land and buildings located at the G.
56	Pierce Wood facility in DeSoto County; providing for
57	future expiration; creating the comprehensive state-
58	owned real property system; directing the Department

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601-03269-10 20101516c1 59 of Environmental Protection to create, administer, 60 operate, and maintain a comprehensive system for all 61 state lands and real property leased, owned, rented, 62 or otherwise occupied or maintained by any state 63 agency or the judicial branch; providing for a 64 database of all real property owned or leased by the 65 state; requiring all state agencies to enter required 66 real property information into the comprehensive 67 state-owned real property system; describing the principal objectives of the comprehensive state-owned 68 69 real property system; setting forth the timeframes in 70 which the department must complete the comprehensive 71 state-owned real property system; requiring the 72 department to report to the Governor and Legislature 73 by a specified date; providing for an executive 74 steering committee for management of the comprehensive 75 state-owned real property system; describing the 76 composition of the executive steering committee; 77 setting forth the responsibilities of the executive 78 steering committee; creating a project management team to work under the direction of the executive steering 79 80 committee; requiring the project management team to be 81 headed by a full-time project manager and to consist 82 of senior managers and personnel appointed by members 83 of the executive steering committee; setting forth the 84 responsibilities of the project management team; 85 providing an effective date. 86

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

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88
89
          Section 1. Subsection (2) of section 193.023, Florida
90
     Statutes, is amended to read
 91
          193.023 Duties of the property appraiser in making
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     assessments.-
          (2) In making his or her assessment of the value of real
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 94
     property, the property appraiser is required to physically
95
     inspect the property at least once every 5 years. Where
96
     geographically suitable, and at the discretion of the property
97
     appraiser, the property appraiser may use image technology in
     lieu of physical inspection to ensure that the tax roll meets
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99
     all the requirements of law. The Department of Revenue shall
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     establish minimum standards for the use of image technology
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     consistent with standards developed by professionally recognized
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     sources for mass appraisal of real property. However, the
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     property appraiser shall physically inspect any parcel of
104
     taxable or state-owned real property upon the request of the
105
     taxpayer or owner.
          Section 2. Paragraph (a) of subsection (3) of section
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107
     193.085, Florida Statutes, is amended to read:
108
          193.085 Listing all property.-
109
          (3) (a) The department will coordinate with all other
110
     departments of state government to ensure that the several
     property appraisers are properly notified annually of state
111
112
     ownership of real property. The department shall promulgate
113
     regulations to ensure that All forms of local government,
114
     special taxing districts, multicounty districts, and
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     municipalities shall provide written annual notification to
116
     properly notify annually the several property appraisers of any
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117	and all real property owned by any of them so that ownership of
118	all such property will be properly listed.
119	Section 3. Paragraph (z) is added to subsection (8) of
120	section 213.053, Florida Statutes, to read:
121	213.053 Confidentiality and information sharing
122	(8) Notwithstanding any other provision of this section,
123	the department may provide:
124	(z) Information relative to ss. 253.03(8) and 253.0325 to
125	the Department of Environmental Protection in the conduct of its
126	official business.
127	
128	Disclosure of information under this subsection shall be
129	pursuant to a written agreement between the executive director
130	and the agency. Such agencies, governmental or nongovernmental,
131	shall be bound by the same requirements of confidentiality as
132	the Department of Revenue. Breach of confidentiality is a
133	misdemeanor of the first degree, punishable as provided by s.
134	775.082 or s. 775.083.
135	Section 4. Section 216.0152, Florida Statutes, is amended
136	to read:
137	216.0152 Inventory of state-owned facilities or state-
138	occupied facilities
139	(1) The Division of Real Estate Development and Management
140	in the Department of Environmental Protection Management
141	Services shall develop and maintain an automated inventory of
142	all facilities owned, leased, rented, or otherwise occupied or
143	maintained by any agency of the state or by the judicial branch $_{m au}$
144	except those with less than 3,000 square feet. The inventory
145	data shall be provided by the owning or operating agency and

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601-03269-10 20101516c1 146 shall include the location, occupying agency, ownership, size, 147 condition assessment, valuations, operating costs, maintenance record, age, parking and employee facilities, building uses, 148 149 full-time equivalent occupancy, known restrictions or historic designations including conservation land status, leases or 150 151 subleases and associated revenues, and other information as 152 required in a rule adopted by the department. The department 153 shall use this data for determining maintenance needs, 154 conducting strategic analyses, including, but not limited to, analyzing and identifying candidates for surplus, valuation, and 155 156 disposition, and life-cycle cost evaluations of the facility. 157 Inventory data shall be provided to the department on or before July 1 of each year by the owning or operating agency in a 158 159 format prescribed by the department. The inventory need not 160 include a condition assessment or maintenance record of facilities not owned by a state agency or by the judicial 161 branch. The term "facility," as used in this section, means 162 163 buildings, structures, and building systems, but does not 164 include transportation facilities of the state transportation 165 system. The Department of Transportation shall develop and 166 maintain an inventory of transportation facilities of the state 167 transportation system. The Board of Governors of the State 168 University System and the Department of Education, respectively, 169 shall develop and maintain an inventory, in the manner 170 prescribed by the Department of Management Services, of all 171 state university and community college facilities and shall make 172 the data available in a format acceptable to the Department of 173 Environmental Protection Management Services. The division shall adopt rules pursuant to ss. 120.536 and 120.54, Florida Statutes 174

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601-03269-10 20101516c1 175 to, administer this section by March 15, 2011. 176 (2) For the purpose of assessing needed repairs and 177 renovations of facilities, the Department of Environmental 178 Protection Management Services shall update its inventory with condition information for facilities of 3,000 square feet or 179 180 more and cause to be updated the other inventories required by 181 subsection (1) at least once every 5 years, but the inventories shall record acquisitions of new facilities and significant 182 183 changes in existing facilities as they occur. The Department of Management Services shall provide each agency and the judicial 184 185 branch with the most recent inventory applicable to that agency 186 or to the judicial branch. Each agency and the judicial branch shall, in the manner prescribed by the Department of Management 187 188 Services, report significant changes in the inventory as they 189 occur. Items relating to the condition and life-cycle cost of a 190 facility shall be updated at least every 5 years. 191 (3) By October 1, 2011, and annually thereafter, the 192 Division of Real Estate Development and Management, in the 193 Department of Environmental Protection, shall submit to the 194 Governor, the President of the Senate, and the Speaker of the 195 House of Representatives a report that lists the state-owned 196 real property recommended for disposition. The Department of 197 Management Services shall, every 3 years, publish a complete 198 report detailing this inventory and shall publish an annual 199 update of the report. The department shall furnish the updated report to the Executive Office of the Governor and the 200 201 Legislature no later than September 15 of each year. 202 Section 5. Subsection (8) of section 253.03, Florida 203 Statutes, is amended to read:

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204 253.03 Board of trustees to administer state lands; lands 205 enumerated.-

206 (8) (a) The Board of Trustees of the Internal Improvement 207 Trust Fund shall prepare, using tax roll data provided by the 208 Department of Revenue, as supplied by the counties, an annual 209 inventory of all publicly owned lands within the state. Such 210 inventory shall include all lands owned by any unit of state 211 government or local government; by the Federal Government, to 212 the greatest extent possible; and by any other public entity. 213 The board shall submit a summary report of the inventory and a 214 list of major discrepancies between the inventory and the tax 215 roll data to the President of the Senate and the Speaker of the 216 House of Representatives on or before March 1 of each year.

217 (b) In addition to any other parcel data available, the 218 inventory shall include a legal description or proper reference 219 thereto, the number of acres or square feet within the 220 boundaries, and the assessed value of all publicly owned 221 uplands. To the greatest extent practicable, the legal 222 description or proper reference thereto and the number of acres 223 or square feet shall be determined for all publicly owned 224 submerged lands. For the purposes of this subsection, the term "submerged lands" means publicly owned lands below the ordinary 225 226 high-water mark of fresh waters and below the mean high-water 227 line of salt waters extending seaward to the outer jurisdiction 228 of the state. By October 31 of each year, the Department of 229 Revenue shall furnish, in machine-readable form, annual, current 230 tax roll data for public lands to the board to be used in 231 compiling the inventory.

232

(c) By September 30 of each year, the Department of Revenue

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601-03269-10 20101516c1 233 shall furnish, in electronic form, annual current tax roll data 234 for public lands to the board to be used in compiling the 235 inventory. By November 30 December 31 of each year, the board 236 shall prepare and provide to each state agency and local 237 government and any other public entity which holds title to real 238 property, including any water management district, drainage 239 district, navigation district, or special taxing district, a 240 list of the real property owned by such entity, required to be listed on county assessment rolls, using tax roll data provided 241 2.42 by the Department of Revenue. By January March 31 of the following year, each such entity shall review its list and 243 244 inform the appropriate property appraiser of any corrections to the list. The appropriate county property appraiser Department 245 246 of Revenue shall enter provide for entering such corrections on 247 the appropriate county tax roll.

248 (d) Whenever real property is listed on the real property 249 assessment rolls of the respective counties in the name of the 250 State of Florida or any of its agencies, the listing shall not 251 be changed in the absence of a recorded deed executed by the 252 State of Florida or the state agency in whose name the property 253 is listed. If, in preparing the assessment rolls, the several 254 property appraisers within the state become aware of the 255 existence of a recorded deed not executed by the state and 256 purporting to convey real property listed on the assessment 257 rolls as state-owned, the property appraiser shall immediately 258 forward a copy of the recorded deed to the state agency in whose 259 name the property is listed.

260 (e) The board shall use tax roll data, which shall be 261 provided by the Department of Revenue, to assist in the

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262	identification and confirmation of publicly held lands. Lands
263	that are held by the state or a water management district and
264	lands that are purchased by the state, a state agency, or a
265	water management district and that are deemed not essential or
266	necessary for conservation purposes are subject to review for
267	surplus sale.
268	Section 6. Subsections (8) and (16) of section 253.034,
269	Florida Statutes, are amended, and subsection (17) is added to
270	that section, to read:
271	253.034 State-owned lands; uses
272	(8)(a) Notwithstanding other provisions of this section,
273	the Division of State Lands is directed to prepare a state
274	inventory of all federal lands and all lands titled in the name
275	of the state, a state agency, a water management district, or a
276	local government on a county-by-county basis. To facilitate the
277	development of the state inventory, each county shall direct the
278	appropriate county office with authority over the information to
279	provide the division with a county inventory of all lands
280	identified as federal lands and lands titled in the name of the
281	state, a state agency, a water management district, or a local
282	government. The Legislature recognizes the value of the state's
283	conservation lands as water recharge areas and air filters and,
284	in an effort to better understand the scientific underpinnings
285	of carbon sequestration, carbon capture, and greenhouse gas
286	mitigation, to inform policymakers and decisionmakers, and to
287	provide the infrastructure for landowners, the Division of State
288	Lands shall contract with an organization experienced and
289	specialized in carbon sinks and emission budgets to conduct an
290	inventory of all lands that were acquired pursuant to

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291	Preservation 2000 and Florida Forever and that were titled in
292	the name of the Board of Trustees of the Internal Improvement
293	Trust Fund. The inventory shall determine the value of carbon
294	capture and carbon sequestration. Such inventory shall consider
295	potential carbon offset values of changes in land management
296	practices, including, but not limited to, replanting of trees,
297	routine prescribed burns, and land use conversion. Such an
298	inventory shall be completed and presented to the board of
299	trustees by July 1, 2009.
300	(b) The state inventory must distinguish between lands
301	purchased by the state or a water management district as part of
302	a core parcel or within original project boundaries, as those
303	terms are used to meet the surplus requirements of subsection
304	(6), and lands purchased by the state, a state agency, or a
305	water management district which are not essential or necessary
306	for conservation purposes.
307	(c) In any county having a population of 75,000 or fewer,
308	or a county having a population of 100,000 or fewer which is
309	contiguous to a county having a population of 75,000 or fewer,
310	in which more than 50 percent of the lands within the county
311	boundary are federal lands and lands titled in the name of the
312	state, a state agency, a water management district, or a local
313	government, those lands titled in the name of the state or a
314	state agency which are not essential or necessary to meet
315	conservation purposes may, upon request of a public or private
316	entity, be made available for purchase through the state's
317	surplusing process. Rights-of-way for existing, proposed, or
318	anticipated transportation facilities are exempt from the
319	requirements of this paragraph. Priority consideration shall be

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601-03269-10 20101516c1 given to buyers, public or private, willing to return the 320 321 property to productive use so long as the property can be 322 reentered onto the county ad valorem tax roll. Property acquired 323 with matching funds from a local government shall not be made available for purchase without the consent of the local 324 325 government. 326 (b) (d) If state-owned lands are subject to annexation 327 procedures, the Division of State Lands must notify the county 328 legislative delegation of the county in which the land is 329 located. 330 (16) Before a building or parcel of land is offered for 331 lease, sublease, or sale to a local or federal unit of 332 government or a private party, it shall first be offered for 333 lease to state agencies, and state universities, and community 334 colleges, with priority consideration given to state 335 universities and community colleges. A state university or 336 community college must submit a plan for review and approval by 337 the Board of Trustees of the Internal Improvement Trust Fund 338 regarding the intended use of the building or parcel of land 339 before approval of a lease. 340 (17) Notwithstanding any other provision of this section, 341 the University of South Florida Polytechnic shall be given 342 priority consideration for the lease of vacant land and 343 buildings located at the G. Pierce Wood facility in DeSoto 344 County. This subsection expires July 1, 2012. Section 7. Comprehensive state-owned real property system.-345 346 (1) The Department of Environmental Protection shall create, administer, operate, and maintain a comprehensive system 347 348 for all state lands and real property leased, owned, rented, and

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349	otherwise occupied or maintained by any state agency or by the
350	judicial branch. The comprehensive state-owned real property
351	system shall enable the Board of Trustees of the Internal
352	Improvement Trust Fund to perform its statutory responsibilities
353	and the Division of Real Estate Development and Management in
354	the Department of Environmental Protection to conduct strategic
355	analyses and prepare annual valuation and disposition analyses
356	and recommendations for all state real property assets.
357	(a) The comprehensive state-owned real property system must
358	contain a database that includes an accurate inventory of all
359	real property that is leased, owned, rented, occupied, or
360	managed by the state or the judicial branch.
361	(b) The Division of Real Estate Development and Management,
362	in the Department of Environmental Protection, shall be the
363	statewide custodian of the real property information and shall
364	be accountable for its accuracy.
365	(c) All state agencies shall enter required real property
366	information according to rules established by the Division of
367	Real Estate Development and Management pursuant to s. 216.0152,
368	Florida Statutes.
369	(2) The comprehensive state-owned real property system must
370	accomplish the following objectives:
371	(a) Eliminate the need for redundant state real property
372	information collection processes and state agency information
373	systems.
374	(b) Reduce the need to lease or acquire additional real
375	property as a result of an annual surplus valuation,
376	utilization, and disposition analysis.
377	(c) Enable cost-effective buy, sell, lease decisions.

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378	(d) Increase state revenues and maximize operational
379	efficiencies by annually identifying those state-owned real
380	properties that are the best candidates for surplus and or
381	disposition.
382	(e) Ensure all state real property is identified by
383	collaborating and integrating with the county property appraiser
384	systems.
385	(f) Implement required functionality and processes for
386	state agencies to electronically submit all applicable real
387	
388	property information using a web browser application. (3) The development of the comprehensive state-owned real
389	
	property system must be composed of the following implementation
390	timeframes and initial deliverables:
391	(a) By March 15, 2011, the real property components of the
392	comprehensive state-owned real property system must be fully
393	operational.
394	(b) By September 1, 2012, the land inventory components of
395	the comprehensive state-owned real property system must be fully
396	operational.
397	(c) By October 1, 2010, the Division of Real Estate
398	Development and Management shall submit a report to the
399	Governor, the President of the Senate, and the Speaker of the
400	House of Representatives which identifies and recommends state-
401	owned real property for disposition. The report shall include
402	specific information that documents the valuation and analysis
403	process used to identify the specific state-owned real property
404	recommended for disposition.
405	(d) By October 15, 2010, the Department of Environmental
406	Protection shall submit an updated feasibility study for the

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407	Lands Inventory Tracking System, to include in its scope the
408	comprehensive state-owned real property system. The feasibility
409	study shall be submitted to the Governor, the President of the
410	Senate, and the Speaker of the House of Representatives.
411	(e) By March 1, 2011, the executive steering committee
412	shall complete the business process analysis and documentation
413	of both the detailed system requirements and the overall system
414	architecture and submit this information to the Governor, the
415	President of the Senate, and the Speaker of the House of
416	Representatives.
417	(4) The Department of Environmental Protection shall
418	implement the project governance structure until such time as
419	the comprehensive state-owned real property system is
420	successfully completed, suspended, or terminated.
421	(5) The project sponsor for the comprehensive state-owned
422	real property system is the Secretary of Environmental
423	Protection.
424	(6) The project shall be governed by an executive steering
425	committee composed of the following voting members or their
426	designees:
427	(a) The Secretary of Environmental Protection, who shall
428	serve as chair of the committee.
429	(b) The executive director of the Department of Revenue.
430	(c) The director of the Division of Real Estate Development
431	and Management in the Department of Environmental Protection.
432	(d) The Chief Financial Officer.
433	(e) A property appraiser appointed by the Florida
434	Association of Property Appraisers, Inc.
435	(f) A property appraiser appointed by the Property

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436	Appraisers' Association of Florida, Inc.
437	(g) The executive director of the Agency for Enterprise
438	Information Technology.
439	(7) The executive steering committee shall take action by
440	the majority vote of its members and has the overall management
441	responsibility for ensuring that the system meets the main
442	business objectives in subsection (1). The executive steering
443	committee is specifically responsible for:
444	(a) Providing management direction and support to the
445	project management team.
446	(b) Reviewing, approving, or disapproving project
447	deliverables and any changes to the project's scope, schedule,
448	and costs.
449	(c) Preparing an update to the feasibility study for the
450	Lands Inventory Tracking System, including the scope of the real
451	property system. The feasibility study shall include, but need
452	not be limited to, a description of the overall scope of the
453	comprehensive state-owned real property system. In determining
454	the overall scope, the study shall address whether a single,
455	comprehensive database of state-owned real property should
456	replace all existing real property databases and whether the
457	comprehensive real property system should accept data from and
458	send data to only existing databases. At a minimum, the
459	following database systems shall be included in this review and
460	analysis:
461	1. The Public Lands Inventory of the Department of
462	Environmental Protection, the statewide public lands inventory,
463	the Board of Trustees Land Document Systems, and the Lands
464	Information Tracking System.

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601-03269-10 20101516c1 465 2. The property tax rolls of the Department of Revenue. 466 3. The state facilities inventory of the Department of 467 Management Services. 4. The risk management database of the Department of 468 469 Financial Services. 470 (d) Further functions must include: 471 1. Identification of the role and responsibilities of the 472 county property appraisers in a comprehensive system of state-473 owned real property which includes the integration of their real 474 property data. 475 2. A description of the methods for maintaining and 476 updating the system and conducting strategic analyses, including 477 valuation and real property surplus or disposition analysis. 478 3. Specifications describing all functional and technical 479 requirements of the comprehensive system. 480 4. Reliable estimates of the initial and ongoing state and 481 local effort required to implement the comprehensive system of 482 state-owned real property. 483 5. Identification of the business processes that county 484 property appraisers and state agencies will use to keep the 485 comprehensive system data complete, current, and accurate. 486 6. Identification of state agency system usage requirements 487 and responsibilities. 488 7. Cost-benefit analysis documenting the specific direct and indirect costs, savings, and qualitative and quantitative 489 490 benefits involved in or resulting from the implementation of the 491 comprehensive state-owned real property system. 492 8. Identify and recommend to the Governor and the chair of 493 the House Full Appropriations Council on General Government &

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494	Health Care and the chair of the Senate Policy and Steering
495	Committee on Ways and Means any fiscal and substantive policy
496	changes that are needed to implement and maintain the
497	comprehensive system as documented in the feasibility study.
498	(8) The project management team shall work under the
499	direction of the executive steering committee. The project
500	management team must be headed by a full-time project manager
501	and consist of senior managers and personnel appointed by
502	members of the executive steering committee. The project
503	management team is responsible for:
504	(a) Providing daily planning, management, and
505	implementation resources and capabilities for the project.
506	(b) Developing an operational work plan for the project and
507	providing proposed updates to the work plan to the executive
508	steering committee whenever necessary. The plan must specify
509	project milestones, deliverables, development, and
510	implementation schedule, and expenditures necessary to achieve
511	the main objectives identified in subsection (1).
512	(c) Submitting written monthly project status reports to
513	the executive steering committee which describe:
514	1. Planned project costs versus actual project costs.
515	2. Completion status of major milestones and deliverables
516	according to the project schedule.
517	3. Any issues requiring resolution, the proposed resolution
518	for the issues, and information regarding the status of the
519	resolution.
520	4. Specific risks that must be managed and methods for
521	their management.
522	5. Recommendations for necessary changes in the project's

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523	scope, schedule, or costs. All recommendations must be reviewed
524	by project stakeholders before submission to the executive
525	steering committee in order to ensure that the recommendations
526	meet required acceptance criteria.
527	(d) Preparing the feasibility study required in subsection
528	(7) under the direction of the executive steering committee.
529	(e) Preparing project work plans and project status
530	reports, which shall also be provided to the Governor and the
531	chair of the House Full Appropriations Council on General
532	Government & Health Care and the chair of the Senate Policy and
533	Steering Committee on Ways and Means.
534	(9) By October 1, 2010, the Division of Real Estate
535	Development and Management shall submit to the Governor, the
536	President of the Senate, and the Speaker of the House of
537	Representatives a report that lists the state-owned real
538	property recommended for disposition.
539	Section 8. This act shall take effect upon becoming a law.

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