

1989

Session Law 89-246

Florida Senate & House of Representatives

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**H 709 GENERAL BILL/CS by Appropriations; Gordon and others
(Identical CS/S 517)**

State Lands/Inter-American Center; revises language re Inter-American Center property to provide an exclusion to requirement of immediate transfer of certain portion of "the Graves tract" reserved for right-of-way; provides for transfer of certain lands within "the Graves tract" to City of North Miami; provides that city shall not be required to pay monetary consideration. Amends 253.033. Effective Date: 07/01/89.

03/10/89 HOUSE Prefiled
03/14/89 HOUSE Referred to Natural Resources; Appropriations
04/04/89 HOUSE Introduced, referred to Natural Resources; Appropriations
-HJ 70
04/11/89 HOUSE On Committee agenda—Natural Resources, 04/13/89, 3:30
pm, 413-C—For ratification of referral to subcommittee
04/20/89 HOUSE On subcommittee agenda—Natural Resources, 04/24/89,
3:45 pm, 217-HOB
04/24/89 HOUSE Subcommittee Recommendation: Favorable; On Commit-
tee agenda—Natural Resources, 04/26/89, 8:30 am, 413-C
04/26/89 HOUSE Preliminary Committee Action by Natural Resources: Fa-
vorable
05/01/89 HOUSE Comm. Report: Favorable by Natural Resources -HJ 337;
Now in Appropriations -HJ 337
05/22/89 HOUSE On Committee agenda—Appropriations, 05/23/89, 8:00
am, 21-HOB
05/23/89 HOUSE Preliminary Committee Action by Appropriations: Favor-
able as a CS
05/25/89 HOUSE Comm. Report: CS by Appropriations, placed on Calendar
-HJ 657; CS read first time -HJ 656
05/29/89 HOUSE Placed on Special Order Calendar
05/31/89 HOUSE Read second time; Read third time; CS passed; YEAS 113
NAYS 2 -HJ 905
05/31/89 SENATE In Messages; Received -SJ 619; Substituted for CS/SB 517;
CS passed; YEAS 37 NAYS 0 -SJ 671
05/31/89 Ordered enrolled
06/13/89 Signed by Officers and presented to Governor
06/29/89 Became Law without Governor's Signature; Chapter No.
89-246

NOTES: Above bill history from Division of Legislative Information's *FINAL LEGISLATIVE BILL INFORMATION, 1989 SESSIONS*. Staff Analyses for bills amended beyond final committee action may not be in accordance with the enacted law. Journal page numbers (HJ & SJ) refer to daily Journals and may not be the same as final bound Journals.

STORAGE NAME: h0709-f.nr
DATE: June 15, 1989

**HOUSE OF REPRESENTATIVES
NATURAL RESOURCES COMMITTEE
FINAL STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT**

BILL #: CS/HB 709

RELATING TO: State Lands

SPONSOR(S): Committee on Appropriations & Representative Gordon

EFFECTIVE DATE: July 1, 1989 or upon becoming a law

DATE BECAME LAW: 6-29-89

CHAPTER #: Chapter 89-246, Laws of Florida

COMPANION BILL(S): Identical SB 517

OTHER COMMITTEES OF REFERENCE: (1) Appropriations
(2)

I. SUMMARY:

A. PRESENT SITUATION:

In 1970, the city of North Miami adopted a \$12 million bond issue for the purpose of financially assisting the Inter-American Center Authority, a state agency established to develop trade and cultural ties with Latin America. The center had issued bonds for which it was in default and the 1700 acres of land the center owned was in danger of being lost from public ownership. Therefore, North Miami elected to cover the bonds with its own bond issue. In return, North Miami was deeded 350 acres of land and given a promise of further repayment from trade center revenues.

The Inter-American Trade Center did not prove successful and in 1975 the Legislature abolished the center, assigning all its liabilities and assets to the Board of Trustees of the Internal Improvement Trust Fund. At the time it was abolished, the center had not repaid North Miami.

The 1985 Legislature provided for certain state-owned land within an area known as the "Graves Tract" in North Miami to be sold, with the proceeds going to purchase land within the same tract owned by North Miami. Alternatively, the state could trade the state-owned land for land of equal value owned by North Miami. In either case, the state would replace its portion of the "Graves Tract" with some other parcel of land owned by North Miami.

The parcel of land that the state was to sell, approximately 7 acres, was reserved by the Department of Transportation (DOT) because it had not determined what portion of the parcel it would need to widen Biscayne Boulevard. Currently, however, the Department of Natural Resources is working with North Miami to arrange a land swap pursuant to the 1985 law.

B. EFFECT OF PROPOSED CHANGES:

The bill provides that the Board of Trustees of the Internal Improvement Trust shall convey and transfer to the City of North Miami the portion of the "Graves tract," property located within North Miami, delineated in the bill. The bill excludes the transfer of that portion of the property which the Department of Transportation has reserved for right-of-way for transportation facilities. The requirement to convey the property means that the state receives nothing of equivalent value in return, contrary to what existing law provides. Therefore, the state will lose land out of its inventory worth approximately \$4 million.

C. SECTION-BY-SECTION ANALYSIS:

Section 1. Amends section 253.033, Florida Statutes, to direct the Board of Trustees of the Internal Improvement Trust Fund to convey and transfer certain state-owned land to the city of North Miami in mitigation of the loss sustained by the city upon dissolution of the Inter-American Center Authority.

Section 2. Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT: FY 89-90 FY 90-91

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring or First Year Start-Up Effects:

Loss of Land to the State \$4,000,000

2. Recurring or Annualized Continuation Effects:

None

3. Long Run Effects Other Than Normal Growth:

None

4. Appropriations Consequences:

Loss of Land to the State \$4,000,000

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring or First Year Start-Up Effects:

City of North Miami \$4,000,000

2. Recurring or Annualized Continuation Effects:

None

3. Long Run Effects Other Than Normal Growth:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None

2. Direct Private Sector Benefits:

None

3. Effects on Competition, Private Enterprise, and Employment Markets:

None

D. FISCAL COMMENTS:

None

III. LONG RANGE CONSEQUENCES:

The long-range consequence of this bill will be a loss of land or revenue to the state. The state could use this land for some public purpose or sell it at a later time at an increased market value.

No provision in the State Comprehensive Plan encompasses the effects of this bill.

IV. COMMENTS:

This bill does not accomplish any of the objectives of the Natural Resources Committee Mission Statement.

V. SIGNATURES:

SUBSTANTIVE COMMITTEE:
Prepared by:

T. Pride
Terry Pride

Staff Director:

Dana D. Minerva
Dana D. Minerva

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DATE: June 15, 1989
PAGE: 4

SECOND COMMITTEE OF REFERENCE:
Prepared by:

Staff Director:

APPROPRIATIONS:
Prepared by:

Staff Director:

Jim Pridgeon

Dr. James A. Zingale

REVISED: _____

BILL NO. CS/SB 517DATE: May 10, 1989Page 1

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

| <u>ANALYST</u> | <u>STAFF DIRECTOR</u> | <u>REFERENCE</u> | <u>ACTION</u> |
|-------------------------|-----------------------|------------------|----------------|
| 1. <u>Gee</u> <i>JB</i> | <u>Voigt</u> <i>W</i> | 1. <u>NRC</u> | <u>Fav./CS</u> |
| 2. _____ | _____ | 2. <u>CA</u> | _____ |
| 3. _____ | _____ | 3. <u>AP</u> | _____ |
| 4. _____ | _____ | 4. _____ | _____ |

SUBJECT:

State lands

BILL NO. AND SPONSOR:

CS/SB 517 by NRC
and Senator MargolisI. SUMMARY

A. Present Situation:

The Inter-American Center Authority was created in 1951 by ch. 554, F.S. Generally, the purpose was to promote and develop trade, commerce and cultural exchange between nations of the Western Hemisphere.

The following is an abbreviated chronology of events surrounding this property:

1. In 1961, Interama was deeded a 1700 acre site, generally referred to as the "Graves Tract" by the City of Miami. The site consisted primarily of abandoned farm land and mangrove swamps.

2. As a result of an election held in 1970, the City of North Miami issued \$12 million of general obligation bonds to purchase all or part of the "Graves Tract" in Dade County for recreational purposes.

3. The city gave Interama the sum of \$12 million and Interama deeded to the City of North Miami 350 acres. In addition, there apparently was an understanding that Interama would issue revenue bonds to pay the city back some portion or all of this cash outlay. The city also anticipated income from Interama as a result of royalties on concessions once Interama opened its doors.

4. In 1971, Interama attempted to issue a revenue bond to the City of North Miami, but was unsuccessful.

5. In 1975, the Legislature abolished Interama and provided that all real and personal property owned by Interama and all existing liabilities of Interama were transferred to the Board of Trustees of the Internal Improvement Trust Fund (Trustees).

6. In 1981, the Trustees approved a settlement agreement with the City of North Miami contingent upon an appropriation by the Legislature of \$12 million. The Legislature did not appropriate any funds for this settlement.

7. Since that time, Munisport, Inc., a subsidiary of ABC Demolition, exercised its option with the City of North Miami and acquired the Bessemer property (a portion of the 350 acres previously transferred to the city) on July 15, 1981. Munisport was to operate a landfill on this property but could not get a permit. This illegal dumpsite was the recipient of hazardous materials which were leaching into the aquifer.

8. The Munisport/City of North Miami agreement was to have resulted in time in the landfill being converted into

recreational facilities. As a result of the hazardous wastes, this did not materialize.

The City of North Miami feels that as a result of the Interama revenue bonds not being issued and the subsequent abolishment of the authority they have suffered a loss.

Current law requires the State to reserve portions of the "Graves Tract" for D.O.T. right-of-way purposes and either sell the land and purchase other land from the city or exchange the state-owned land for equivalently valued land owned by the City of North Miami.

B. Effect of Proposed Changes:

The bill amends s. 253.033, F.S., to provide that any portions of "the Graves Tract" acquired by the City of North Miami subject to the effective date of the bill shall not be subject to a public purpose use restriction.

The bill provides for the immediate conveyance and transfer of a specifically-described portion of "the Graves Tract" to the City of North Miami without monetary consideration, in mitigation of losses suffered by the city upon dissolution of the Inter-American Center Authority.

The bill also provides for the reservation of certain portions of "the Graves Tract" for rights-of-way for transportation purposes.

Provisions of s. 253.033, F.S., requiring that a portion of "the Graves Tract" be sold as soon as feasible are deleted. Also deleted are provisions requiring that the purchase price of such lands not be less than appraised value, and that proceeds from the sale be used to purchase designated lands within the tract owned by the City of North Miami. An optional alternative for an exchange of the above properties has also been deleted.

The act takes effect July 1, 1989, or upon becoming law, whichever occurs later.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

The bill does not require any taxes, fees, or assessments on the public.

B. Government:

The conveyance of this property should not have a fiscal impact on DNR.

The City of North Miami would benefit from the acquisition of lands valued at approximately \$4,000,000. DOT could realize an undetermined economic benefit by the acquisition of the rights-of-way reserved to it, as the bill would preclude any need for litigation over the right-of-way parcels.

III. COMMENTS:

None

IV. AMENDMENTS:

None.