

Amendment No. 01 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 Representative(s) Albright offered the following:

13 **Amendment (with title amendment)**

14 On page 1, line 27; through page 2, line 31
15 remove from the bill: all of said lines

17 and insert in lieu thereof:

19 where appropriate. However, it is also the intent of the
20 Legislature that any participation in these programs,
21 initiatives, or designations shall be undertaken with due
22 regard for private property rights provided by the United
23 States Constitution and the Constitution of the State of
24 Florida and that no future regulatory intentions or
25 implications shall result.

26 (2) Prior to participating in any program, initiative,
27 or designation as described in subsection (1) which shall
28 include or be contiguous to state-owned lands as defined in
29 subsection (1), authorization in the form of a resolution of
30 support for the program, initiative, or designation must be
31 obtained by the Governor and Cabinet sitting as the Board of

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1 Trustees of the Internal Improvement Trust Fund.
2 (3) Prior to the adoption of a resolution of support,
3 the Board of Trustees shall notify, by certified return
4 receipt mail, each county that would be affected by the
5 program, initiative, or designation, and provide each county
6 an opportunity to state its opposition through the adoption of
7 a resolution supported by a majority of the members of the
8 county commission. Each notified county commission shall have
9 90 days from the date of receipt of notification from the
10 Board of Trustees to adopt a resolution opposing the Board's
11 proposed action. The Board shall not take formal action on a
12 resolution of support until 90 days has passed for each
13 notified county. Notification by the Board of Trustees shall
14 include the following:
15 1. A statement identifying the party who has requested
16 the resolution.
17 2. A copy of the proposed resolution.
18 3. A statement informing the county that it has 90
19 days from the date of receipt of notification to adopt a
20 resolution opposing the Board's proposed action.
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22 Opposition to the Board's proposed action that has been
23 received in accordance with the procedure outlined in
24 subsection (3) shall be reflected in the Board's resolution
25 and forwarded by the Board to the appropriate governmental
26 entity or organization along with its resolution.
27 (4) Participation in any program, initiative, or
28 designation as described in subsection (1) shall not:
29 (a) Empower any unit of state or local government or
30 any water management district to impose additional or more
31 restrictive environmental, land use, or zoning rules or

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1 regulations.

2 (b) Be construed or cited as authority to adopt or
3 enforce any environmental rule or regulation; any
4 comprehensive plan goal, policy, or objective; any zoning or
5 land use ordinance; the imposition of any permit condition; or
6 the application of any other rule, regulation, or ordinance by
7 any unit of government.

8 (c) Be used by any unit of government to reduce or
9 restrict the rights to the owners of lands within or
10 contiguous to the area proposed to be included in any program,
11 initiative, or designation as described in subsection (1).

12 (d) Be admissible in any judicial or administrative
13 proceeding if such information is being offered to support the
14 imposition of regulatory restrictions or restrictions on the
15 rights of property owners within or contiguous to area
16 proposed for inclusion.

17 (5) This section shall not apply to those programs,
18 initiatives, or designations specifically established in
19 federal public law, the Code of Federal Regulations, or
20 disaster and emergency declarations.

21 (6) Provisions of this section shall apply to any
22 program, initiative, or designation applied for on or after
23 September 1, 1997.

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25
26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 On page 1, lines 4-7
29 remove from the title of the bill: all of said lines
30
31 and insert in lieu thereof:

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1 prior approval by the Governor and Cabinet for
2 certain designations of state-owned lands or
3 lands contiguous thereto; requiring
4 notification by the Governor and Cabinet to
5 affected counties; providing a procedure for
6 affected counties to oppose certain activities;
7 providing application; providing an
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