

1 A bill to be entitled
2 An act relating to designations for Florida
3 lands; creating s. 253.0015, F.S.; requiring
4 prior approval by the Governor and Cabinet for
5 certain designations of state-owned lands or
6 lands contiguous thereto; requiring
7 notification by the Governor and Cabinet to
8 affected counties; providing a procedure for
9 affected counties to oppose certain activities;
10 providing application; providing an effective
11 date.

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

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15 Section 1. Section 253.0015, Florida Statutes, is
16 created to read:

17 253.0015 Designations of state-owned lands.--

18 (1) It is the intent of the Legislature to conserve
19 and protect the natural resources and scenic beauty of those
20 lands defined by s. 11, Art. X of the State Constitution or
21 titled to the Board of Trustees of the Internal Improvement
22 Trust Fund. To accomplish this, the Legislature recognizes
23 that programs, initiatives, or designations created or
24 sponsored by national governments or international
25 organizations have been and will be undertaken to further the
26 conservation and protection of lands. It is further the
27 intent of the Legislature to encourage individuals, local
28 governments, and any other private or public entity to
29 participate in these programs, initiatives, or designations
30 where appropriate. However, it is also the intent of the
31 Legislature that any participation in these programs,

1 initiatives, or designations shall be undertaken with due
2 regard for private property rights provided by the United
3 States Constitution and the Constitution of the State of
4 Florida and that no future regulatory intentions or
5 implications shall result.

6 (2) Prior to participating in any program, initiative,
7 or designation as described in subsection (1) which shall
8 include or be contiguous to state-owned lands as defined in
9 subsection (1), authorization in the form of a resolution of
10 support for the program, initiative, or designation must be
11 obtained by the Governor and Cabinet sitting as the Board of
12 Trustees of the Internal Improvement Trust Fund.

13 (3) Prior to the adoption of a resolution of support,
14 the Board of Trustees shall notify, by certified return
15 receipt mail, each county that would be affected by the
16 program, initiative, or designation, and provide each county
17 an opportunity to state its opposition through the adoption of
18 a resolution supported by a majority of the members of the
19 county commission. Each notified county commission shall have
20 90 days from the date of receipt of notification from the
21 Board of Trustees to adopt a resolution opposing the Board's
22 proposed action. The Board shall not take formal action on a
23 resolution of support until 90 days has passed for each
24 notified county. Notification by the Board of Trustees shall
25 include the following:

26 1. A statement identifying the party who has requested
27 the resolution.

28 2. A copy of the proposed resolution.

29 3. A statement informing the county that it has 90
30 days from the date of receipt of notification to adopt a
31 resolution opposing the Board's proposed action.

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2 Opposition to the Board's proposed action that has been
3 received in accordance with the procedure outlined in
4 subsection (3) shall be reflected in the Board's resolution
5 and forwarded by the Board to the appropriate governmental
6 entity or organization along with its resolution.

7 (4) Participation in any program, initiative, or
8 designation as described in subsection (1) shall not:

9 (a) Empower any unit of state or local government or
10 any water management district to impose additional or more
11 restrictive environmental, land use, or zoning rules or
12 regulations.

13 (b) Be construed or cited as authority to adopt or
14 enforce any environmental rule or regulation; any
15 comprehensive plan goal, policy, or objective; any zoning or
16 land use ordinance; the imposition of any permit condition; or
17 the application of any other rule, regulation, or ordinance by
18 any unit of government.

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

23 (d) Be admissible in any judicial or administrative
24 proceeding if such information is being offered to support the
25 imposition of regulatory restrictions or restrictions on the
26 rights of property owners within or contiguous to area
27 proposed for inclusion.

28 (5) This section shall not apply to those programs,
29 initiatives, or designations specifically established in
30 federal public law, the Code of Federal Regulations, or
31 disaster and emergency declarations.

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

4 Section 2. This act shall take effect upon becoming a
5 law.