

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. For the Everglades Watershed nomination  
5 packet submitted to the Executive Office of the President, on  
6 December 8, 1997, identified as OMB Control No. 0596-0143, the  
7 provisions of ss. 253.0015(2) and (3) shall not apply. All  
8 other provisions of this bill shall apply.

9           Section 3. This act shall take effect upon becoming a  
10 law.