

By Senator Wise

5-1522-06

See HB 229

1                                   A bill to be entitled

2           An act relating to the use of land for the

3           exploration, production, and storage of

4           petroleum and natural gas; amending s. 206.022,

5           F.S.; requiring bulk fuel storage terminal

6           facilities located in high-hazard coastal areas

7           to be surrounded by dike fields meeting certain

8           design and maintenance criteria; amending s.

9           253.03, F.S.; prohibiting the use of

10          sovereignty submerged lands for activities

11          associated with the exploration for and

12          production of oil and natural gas; providing an

13          effective date.

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

16

17           Section 1. Section 206.022, Florida Statutes, is

18 amended to read:

19           206.022 Application for license; terminal operators;

20 bulk fuel storage terminal facility in high-hazard coastal

21 area.--

22           (1) It is unlawful for any terminal operator to

23 operate within this state unless he or she is the holder of an

24 unrevoked license issued by the department to engage in such

25 business. To procure such license, a person shall file with

26 the department an application under oath and in such form as

27 the department may prescribe, setting forth:

28           (a) The name under which the person will transact

29 business within the state.

30           (b) The location, with street number address, of his

31 or her principal office or place of business within this state

1 and the location where records will be made available for  
2 inspection.

3 (c) The name and complete residence address of the  
4 owner or the names and addresses of the partners, if such  
5 person is a partnership, or of the principal officers, if such  
6 person is a corporation or association; and, if such person is  
7 a corporation organized under the laws of another state,  
8 territory, or country, he or she shall also file with the  
9 application a certified copy of the certificate or license  
10 issued by the Department of State showing that such  
11 corporation is authorized to transact business in the state.

12 (d) The storage capacity of the facility.

13 (e) Any other information which the department may  
14 deem necessary.

15 (2) The application shall require a \$30 license tax.  
16 Each license shall be renewed annually through application,  
17 including an annual \$30 license tax.

18 (3) Any bulk fuel storage terminal facility located  
19 within an area of the state designated as a high-hazard  
20 coastal area as defined in any local government comprehensive  
21 plan pursuant to s. 163.3178 shall have dike fields  
22 surrounding the facility that are designed and maintained to:

23 (a) Withstand the wind and storm surge effects  
24 associated with a hurricane.

25 (b) Manage stormwater and prevent discharges from the  
26 dike field.

27 Section 2. Paragraph (b) of subsection (7) of section  
28 253.03, Florida Statutes, is amended to read:

29 253.03 Board of trustees to administer state lands;  
30 lands enumerated.--

31 (7)

1           (b) With respect to administering, controlling, and  
2 managing sovereignty submerged lands, the Board of Trustees of  
3 the Internal Improvement Trust Fund also may adopt rules  
4 governing all uses of sovereignty submerged lands by vessels,  
5 floating homes, or any other watercraft, which shall be  
6 limited to regulations for anchoring, mooring, or otherwise  
7 attaching to the bottom; the establishment of anchorages; and  
8 the discharge of sewage, pumpout requirements, and facilities  
9 associated with anchorages. The regulations must not interfere  
10 with commerce or the transitory operation of vessels through  
11 navigable water, but shall control the use of sovereignty  
12 submerged lands as a place of business or residence. The use  
13 of sovereignty submerged lands for activities associated with  
14 the exploration for or the production of oil or natural gas is  
15 expressly prohibited.

16           Section 3. This act shall take effect July 1, 2006.  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31