



1           WHEREAS, the 1925 special act limits the use of  
2 property granted for public purposes and uses as specified in  
3 the act and provides for reversion of such property to the  
4 state in circumstances involving use of the property in a  
5 manner that is inconsistent with those specifications, and

6           WHEREAS, chapter 86-345, Laws of Florida, released a  
7 portion of the property granted by the 1925 special act from  
8 the reverter in order to permit the development and  
9 maintenance of a portion of the property as a marine science  
10 center as approved by the city commission and electors of the  
11 City of Clearwater, and

12           WHEREAS, the property granted by the 1925 special act  
13 now consists of uplands and submerged lands adjacent to those  
14 uplands, which have been developed for public purposes and  
15 uses, plus additional submerged lands that are adjacent to the  
16 developed uplands and that remain undeveloped, and

17           WHEREAS, the City of Clearwater wishes to make use of  
18 portions of the undeveloped adjacent submerged lands for  
19 public purposes and certain limited private uses as specified  
20 in this act which are consistent with the laws and rules  
21 governing the management of sovereignty submerged lands by the  
22 Board of Trustees of the Internal Improvement Trust Fund, and

23           WHEREAS, the Board of Trustees of the Internal  
24 Improvement Trust Fund and the City of Clearwater desire that  
25 the extent and manner of the use of the adjacent portions of  
26 the submerged lands be consistent with the use of other  
27 sovereignty submerged lands of the state, NOW, THEREFORE,

28  
29 Be It Enacted by the Legislature of the State of Florida:  
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1           Section 1. Any use of the property described in  
2 chapter 11050, Laws of Florida, 1925, and authorized by the  
3 City of Clearwater on or before the effective date of this act  
4 is ratified notwithstanding the reason for the use. In  
5 addition, any use of that portion of the property described in  
6 chapter 86-345, Laws of Florida, which was undertaken on or  
7 before the effective date of this chapter has been and is  
8 consistent with the grant made in that chapter for the purpose  
9 of developing and maintaining a marine science center.

10           Section 2. The City of Clearwater may authorize  
11 private uses of the submerged portions of the property granted  
12 under chapter 11050, Laws of Florida, 1925, for which it has  
13 received an application on or before December 31, 2006, if the  
14 private uses are consistent with the laws and rules governing  
15 the management of sovereignty submerged lands of this state by  
16 the Board of Trustees of the Internal Improvement Fund,  
17 including rules of the board concerning private marinas and  
18 docking facilities. If the use of any area under the control  
19 of the portions of the property granted under chapter 11050,  
20 Laws of Florida, 1925, including any portion of the property  
21 that may include the Clearwater City Beach Marina Property, is  
22 altered from the existing public open-space recreation usage  
23 or any other existing public land use designation, the change  
24 of use must first be approved by a site-specific referendum  
25 put before the registered voters of the City of Clearwater. A  
26 dock or mooring facility for a multifamily dwelling or a dock  
27 for a single-family dwelling authorized under this act which  
28 is consistent with such laws and rules does not violate this  
29 act. The City of Clearwater shall use any revenue generated by  
30 authorizing any private use of the submerged land to fund  
31 water-related activities for the benefit of the public.

1           Section 3. If the Board of Trustees of the Internal  
2 Improvement Trust Fund finds that any use of a portion of the  
3 submerged lands granted under chapter 11050, Laws of Florida,  
4 1925, which was authorized by the City of Clearwater and not  
5 ratified by this act is inconsistent with the laws and rules  
6 governing the board's management of the state's sovereignty  
7 submerged lands, that portion shall, notwithstanding the 1925  
8 special act, revert to the state to be held and managed by the  
9 Board of Trustees of the Internal Improvement Trust Fund.

10           Section 4. This act does not modify or supersede any  
11 provision of the Charter of the City of Clearwater concerning  
12 the requirement of a referendum for the use of waterfront  
13 property that is owned by the City of Clearwater, which shall  
14 include the causeway.

15           Section 5. This act shall take effect upon becoming a  
16 law.

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18                           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
19   COMMITTEE SUBSTITUTE FOR  
20   Senate Bill 2942

21 The committee substitute clarifies that the uses of the  
22 property described in ch. 11050, L.O.F., which were authorized  
23 by the City of Clearwater on or before the effective date of  
24 this act are ratified notwithstanding the reason for the use.

25 The City of Clearwater may authorize private uses of the  
26 submerged portions of the property granted under ch. 11050,  
27 L.O.F., for which it has received an application on or before  
28 December 31, 2006, under certain conditions. If the use is  
29 altered from the existing public open-space recreation usage  
30 or any other existing public land use designation, the change  
31 of use must first be approved by a site-specific referendum  
put before the registered voters of the City of Clearwater.

28 This committee substitute does not modify or supersede any  
29 provision of the Charter of the City of Clearwater concerning  
30 the requirement of a referendum for the use of waterfront  
31 property that is owned by the City of Clearwater, which shall  
include the causeway.