

By Senator Bennett

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1 A bill to be entitled

2 An act relating to aggregate mining; amending s. 378.412,
3 F.S.; prohibiting local governments from enacting or
4 enforcing ordinances, resolutions, regulations, rules,
5 policies, or other actions that prohibit mining in certain
6 lands zoned for mining; providing an expedited permitting
7 process for certain limerock environmental resource
8 permitting and reclamation applications; providing
9 requirements for the challenge of agency actions;
10 providing an effective date.

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

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14 Section 1. Section 378.412, Florida Statutes, is amended to
15 read:

16 378.412 Relationship with other laws.--

17 (1) It is the intent of the Legislature that ss. 378.202-
18 378.804 supplement other laws regarding resource extraction.
19 Nothing contained in such sections shall be construed to limit,
20 abridge, or alter any agency's duties, authority, and
21 responsibilities granted pursuant to another statute. Nothing in
22 ss. 378.202-378.804 shall be deemed to preempt local ordinances
23 that impose stricter reclamation standards, except that no county
24 or municipality shall enact or enforce any ordinance, resolution,
25 regulation, rule, policy, or other action that prohibits or
26 prevents the construction or operation of a limestone mine on
27 lands where mining is a permissible use or on lands zoned or
28 classified as mining lands on or after March 1, 2007.

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29 (2) Due to the state's critical infrastructure needs and
30 the potential shortfall in available construction aggregate
31 materials, limerock environmental resource permitting and
32 reclamation applications filed after March 1, 2007, are eligible
33 for the expedited permitting process under s. 403.973. Challenges
34 to state agency action in the expedited permitting process for
35 establishment of a limerock mine in this state under s. 403.973
36 are subject to the same requirements as challenges brought under
37 s. 403.973(15)(a), except that, notwithstanding s. 120.574,
38 summary proceedings must be conducted within 30 days after a
39 party files the motion for summary hearing, regardless of whether
40 the parties agree to the summary proceeding.

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