

By the Committee on Natural Resources; and Senator Brown-Waite

312-2133-02

1                                   A bill to be entitled  
2           An act relating to the Florida Coastal  
3           Management Program; amending ss. 308.205,  
4           380.24, 380.285, F.S.; transferring all powers  
5           and duties, and functions of the Florida  
6           Coastal Management Program from the Department  
7           of Community Affairs to the Department of  
8           Environmental Protection; conforming provisions  
9           to changes made by the act; providing an  
10          effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

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14           Section 1. Subsection (1) of section 380.205, Florida  
15 Statutes, is amended to read:

16           380.205 Definitions.--As used in ss. 380.21-380.24:

17           (1) "Department" means the Department of Environmental  
18 Protection ~~Community Affairs~~.

19           Section 2. Section 380.24, Florida Statutes, is  
20 amended to read:

21           380.24 Local government participation.--Units of local  
22 government abutting the Gulf of Mexico or the Atlantic Ocean,  
23 or which include or are contiguous to waters of the state  
24 where marine species of vegetation listed by rule as ratified  
25 in s. 373.4211 constitute the dominant plant community, shall  
26 develop a coastal zone protection element pursuant to s.  
27 163.3177. Such units of local government shall be eligible to  
28 receive technical assistance from the state in preparing  
29 coastal zone protection elements and shall be the only units  
30 of local government eligible to apply to the department for  
31 available financial assistance. Local government participation

1 in the coastal management program authorized by this act shall  
2 be voluntary. All permitting and enforcement of  
3 dredged-material management and other related activities  
4 subject to permit under the provisions of chapters 161 and 253  
5 and part IV of chapter 373 for deepwater ports identified in  
6 s. 403.021(9)(b) shall be done through the department of  
7 ~~Environmental Protection~~ consistent with the provisions of s.  
8 403.021(9).

9 Section 3. Section 380.285, Florida Statutes, is  
10 amended to read:

11 380.285 Lighthouses; study; preservation; funding.--

12 (1) The Coastal Management Program of the Department  
13 of Environmental Protection ~~Community Affairs~~ and the Division  
14 of Historical Resources of the Department of State shall  
15 undertake a study of the lighthouses in the state. The study  
16 must determine the location, ownership, condition, and  
17 historical significance of all lighthouses in the state and  
18 ensure that all historically significant lighthouses are  
19 nominated for inclusion on the National Register of Historic  
20 Places. The study must assess the condition and restoration  
21 needs of historic lighthouses and develop plans for  
22 appropriate future public access and use. The Coastal  
23 Management Program and the Division of Historical Resources  
24 shall take a leadership role in implementing plans to  
25 stabilize lighthouses and associated structures and to  
26 preserve and protect them from future deterioration. When  
27 possible, the lighthouses and associated buildings should be  
28 made available to the public for educational and recreational  
29 purposes. The Department of Environmental Protection ~~Community~~  
30 ~~Affairs~~ should consider these responsibilities to be a  
31 priority of the Florida Coastal Management Program, and

1 implementation of this act should be a priority in the use of  
2 coastal management funds.

3 (2) The Department of Environmental Protection  
4 ~~Community Affairs~~ and the Department of State shall request in  
5 their annual legislative budget requests funding necessary to  
6 carry out the duties and responsibilities specified in this  
7 act. Funds for the rehabilitation of lighthouses should be  
8 allocated through matching grants-in-aid to state and local  
9 government agencies and to nonprofit organizations. The  
10 Department of Environmental Protection ~~Community Affairs~~ may  
11 assist the Division of Historical Resources in projects to  
12 accomplish lighthouse identification, assessment, restoration,  
13 and interpretation.

14 Section 4. All powers, duties, functions, rules,  
15 records, personnel, property, and unexpended balances of  
16 appropriations, allocations, or other funds of the Florida  
17 Coastal Management Program as provided for in sections 380.20  
18 through 380.285, Florida Statutes, currently assigned to and  
19 administered by the Department of Community Affairs are  
20 transferred by a type two transfer, as defined in section  
21 20.06(2), Florida Statutes, to the Department of Environmental  
22 Protection.

23 Section 5. This act shall take effect July 1, 2002.  
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25 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
26 COMMITTEE SUBSTITUTE FOR  
27 Senate Bill 1064

28 The committee substitute (CS) deletes the original provisions  
29 of the bill and transfers the Florida Coastal Management  
30 Program from the Department of Community Affairs to the  
31 Department of Environmental Protection by a type two transfer,  
pursuant to s. 20.06(2), F.S. The CS conforms statutes to the  
transfer, requires the Department of Environmental Protection  
to coordinate with the Department of State in matters relating  
to lighthouse preservation, and takes effect July 1, 2002.