

House Bill No. 1963

An act relating to the Florida Coastal Management Program; amending ss. 380.205, 380.24, and 380.285, F.S.; transferring all powers, duties, and functions of the Florida Coastal Management Program from the Department of Community Affairs to the Department of Environmental Protection; providing an effective date.

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

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

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

(1) “Department” means the Department of Environmental Protection ~~Community Affairs~~.

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

380.24 Local government participation.—Units of local government abutting the Gulf of Mexico or the Atlantic Ocean, or which include or are contiguous to waters of the state where marine species of vegetation listed by rule as ratified in s. 373.4211 constitute the dominant plant community, shall develop a coastal zone protection element pursuant to s. 163.3177. Such units of local government shall be eligible to receive technical assistance from the state in preparing coastal zone protection elements and shall be the only units of local government eligible to apply to the department for available financial assistance. Local government participation in the coastal management program authorized by this act shall be voluntary. All permitting and enforcement of dredged-material management and other related activities subject to permit under the provisions of chapters 161 and 253 and part IV of chapter 373 for deepwater ports identified in s. 403.021(9)(b) shall be done through the department of ~~Environmental Protection~~ consistent with the provisions of s. 403.021(9).

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

380.285 Lighthouses; study; preservation; funding.—

(1) The Coastal Management Program of the Department of Environmental Protection ~~Community Affairs~~ and the Division of Historical Resources of the Department of State shall undertake a study of the lighthouses in the state. The study must determine the location, ownership, condition, and historical significance of all lighthouses in the state and ensure that all historically significant lighthouses are nominated for inclusion on the National Register of Historic Places. The study must assess the condition and restoration needs of historic lighthouses and develop plans for appropriate future public access and use. The Coastal Management Program and the Division of Historical Resources shall take a leadership role in implementing plans to stabilize lighthouses and associated structures

and to preserve and protect them from future deterioration. When possible, the lighthouses and associated buildings should be made available to the public for educational and recreational purposes. The Department of Environmental Protection ~~Community Affairs~~ should consider these responsibilities to be a priority of the Florida Coastal Management Program, and implementation of this act should be a priority in the use of coastal management funds.

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

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

Section 5. This act shall take effect July 1, 2002.

Approved by the Governor May 23, 2002.

Filed in Office Secretary of State May 23, 2002.