

CONSTITUTIONAL AMENDMENT PETITION FORM

104.185 – A person who knowingly signs a petition or petitions for a candidate, minor political party, or an issue more than one time commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

BALLOT TITLE:

**CONSERVATION AND PROTECTION OF
FLORIDA'S SCENIC BEAUTY:
FLORIDA'S BILLBOARD AMENDMENT**

BALLOT SUMMARY:

Protects trees on public property from being removed or altered to enhance billboard visibility, and allows beautification projects to be installed without being restricted by presence of billboards. Provides local governments with greater home rule authority to require billboard removal. Provides just compensation ceiling for billboard removal except where greater amount required by federal law or federal constitution. Prohibits new billboard construction along any public street or highway. Provides definitions. Effective upon approval by electors.

I am a registered voter of Florida and hereby petition the Secretary of State to place the following amendment to the Florida Constitution on the ballot in the general election.

NAME _____
Please Print Name as it Appears on Voter I.D. Card

STREET ADDRESS _____

CITY _____ ZIP _____

COUNTY _____

Is this a change of address for voter registration? Yes No

VOTER REGISTRATION NUMBER _____

- or -

DATE OF BIRTH ____/____/____

_____ DATE _____
SIGNATURE OF REGISTERED VOTER DATE SIGNED

FULL TEXT OF PROPOSED AMENDMENT: BE IT ENACTED BY THE PEOPLE OF FLORIDA THAT:

Article II, Section 7. Natural resources and scenic beauty of the Florida Constitution is amended to add the following subsection:

(c) In order to conserve and protect Florida's scenic beauty and aesthetic values in connection with the presence and proliferation of billboards and to enhance Florida's scenic beauty and aesthetic values through the removal of billboards:

(1) Trees on public property and public rights-of-way shall not be removed or altered so as to enhance the visibility of a billboard. The installation and maintenance of beautification projects involving trees on public property or public rights-of-way shall not be restricted or limited in any way due to the presence of a billboard on adjoining or other property. Nothing herein shall prohibit the removal of dead trees or invasive tree species, or diseased trees as determined by a certified arborist.

(2) Municipalities and counties may require the removal of billboards through the adoption of any land use laws, ordinances, or regulations, including amortization provisions, that are not prohibited by the United States Constitution. Except to the extent necessary for the state to receive federal highway funds, this home rule authority over billboard removal shall not be limited or conditioned in any way by existing or future legislative enactments. The legislature shall not enact any law that would interfere with the foregoing home rule authority.

(3) Any requirement that full or just compensation be paid for the removal of a billboard shall not require a payment that exceeds the cost of removal plus the replacement value of the materials used in the construction of the billboard structure, less depreciation. The foregoing ceiling shall not be exceeded except to the extent and only to the extent that federal law or the United States Constitution requires the payment of a greater amount.

(4) No new billboard structure shall be constructed or erected along any public street or highway in the state; however, notwithstanding the foregoing, the legislature by general law may authorize the construction and erection of rest area information panels, tourist-oriented directional signs and motorist directional logo signs located on the public rights-of-way provided that such authorization complies with all applicable provisions of federal law and the United States Constitution.

(5) For the purposes of this subsection: the term "billboard" shall mean an off-site commercial outdoor advertising sign greater than twenty-five square feet and permanently affixed to the ground or to a building exterior (but excluding any sign facing the interior of an open-air space, such as a stadium or park); the term "off-site commercial outdoor advertising sign" shall mean a commercial sign that advertises a use, product, establishment, activity or service that is sold, produced, manufactured, located or furnished at a place other than the premises on which the advertising sign is located; the term "new billboard structure" shall include a billboard structure that is reconstructed, re-erected or relocated, or that is altered to increase its height or size; and the phrase "along any public street or highway" shall mean the "controlled area" as defined in Section 479.01, Florida Statutes (2001), as well as any location where the billboard is visible from a public street or highway.

(6) This subsection shall become effective immediately upon approval by the electors of Florida.

Pd. Pol. Adv. Paid for by Conserve and Protect Florida's Scenic Beauty www.scenicbeauty.org, Inc.

For Office Use Only
Serial Number 02-11
Date Approved 08-14-02

Return to: Scenic Beauty, Inc., P.O. Box 8929, Jacksonville, FL 32239-0929. **Please help us.** If you can gather petitions for the Conservation and Protection of Florida's Scenic Beauty, please let us know. Yes, I can help gather _____ petitions. Note: Contributions of \$10 or more may be made payable to "Scenic Beauty, Inc." All contributions are most welcomed. **Thank you.**