

By Senator Latvala

19-1391-98

1                                   A bill to be entitled  
2           An act relating to the Department of  
3           Environmental Protection; amending s. 253.7821,  
4           F.S.; authorizing the Office of Greenways and  
5           Trails to adopt rules relating to state lands  
6           under its jurisdiction; authorizing the  
7           Division of Marine Resources to adopt rules  
8           relating to uplands under its management;  
9           providing criminal penalties; 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. Section 253.7821, Florida Statutes, is  
15 amended to read:

16           253.7821 Cross Florida Greenways State Recreation and  
17 Conservation Area assigned to the Office of the Secretary  
18 ~~Executive Director~~.--

19           (1) The Cross Florida Greenways State Recreation and  
20 Conservation Area is hereby established and is ~~initially~~  
21 assigned to the Office of Greenways and Trails Management  
22 within the Office of the Secretary. The Office of Greenways  
23 and Trails may adopt rules governing the management of  
24 greenways and trails under its jurisdiction as specified in  
25 this section.~~The office shall manage the greenways pursuant~~  
26 ~~to the department's existing statutory authority until~~  
27 ~~administrative rules are adopted by the department. However,~~  
28 ~~the provisions of this act shall control in any conflict~~  
29 ~~between this act and any other authority of the department.~~

30           (2) The Office of Greenways and Trails may adopt rules  
31 to govern the management and use of greenways and trails under

1 its jurisdiction pursuant to chapter 253, which include, but  
2 are not limited to, rules: charging fees for use of greenways  
3 lands; establishing and governing citizens' support  
4 organizations; establishing prohibited activities or  
5 restrictions on activities; establishing and contracting for  
6 concessions; providing procedures and requirements for  
7 granting authority to local governments or other appropriate  
8 entities to manage certain greenways and trails.

9 (3) Any person who violates or otherwise fails to  
10 comply with the rules adopted under this section is guilty of  
11 a misdemeanor of the second degree punishable as provided in  
12 s. 775.082 or s. 775.083.

13 ~~(2) Prior to the 1995 regular session of the~~  
14 ~~Legislature, legislative staff shall review the activities of~~  
15 ~~the office in managing the greenways and make recommendations~~  
16 ~~to the Legislature as to the most appropriate placement of~~  
17 ~~greenways management functions within the department.~~

18 Section 2. (1) The Division of Marine Resources of  
19 the Department of Environmental Protection may adopt rules  
20 governing the management and use of state-owned or other  
21 uplands above the mean high water line or ordinary high water  
22 line which are assigned to it for management purposes. The  
23 rules may include, but are not limited to, rules establishing  
24 prohibited activities or restrictions on activities consistent  
25 with the purposes for which the lands were acquired,  
26 designated, or dedicated and rules charging fees for use of  
27 the lands.

28 (2) Any person who violates or otherwise fails to  
29 comply with the rules adopted under this section is guilty of  
30 a misdemeanor of the second degree, punishable as provided in  
31 section 775.082 or section 775.083, Florida Statutes.

