

1                                   A bill to be entitled  
2           An act relating to rulemaking authority  
3           regarding aquatic plants (RAB); amending s.  
4           369.25, F.S.; authorizing the Department of  
5           Environmental Protection to adopt rules  
6           requiring revegetation in specified  
7           circumstances; providing an effective date.

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

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11           Section 1. Subsection (3) of section 369.25, Florida  
12   Statutes, is amended to read:

13           369.25 Aquatic plants; definitions; permits; powers of  
14   department; penalties.--

15           (3) The department has the following powers:

16           (a) To make such rules governing the importation,  
17   transportation, nonnursery cultivation, collection, and  
18   possession of aquatic plants as may be necessary for the  
19   eradication, control, or prevention of the dissemination of  
20   noxious aquatic plants that are not inconsistent with rules of  
21   the Department of Agriculture and Consumer Services.

22           (b) To establish by rule lists of aquatic plant  
23   species regulated under this section, including those exempted  
24   from such regulation, provided the Department of Agriculture  
25   and Consumer Services and the Fish and Wildlife Conservation  
26   Commission approve such lists prior to the lists becoming  
27   effective.

28           (c) To evaluate an aquatic plant species through  
29   research or other means to determine whether such species  
30   poses a threat or danger to the waters, wildlife, natural  
31   resources, or environment of the state.

1 (d) To declare a quarantine against aquatic plants,  
2 including the vats, pools, or other containers or bodies of  
3 water in which such plants are growing, except in aquatic  
4 plant nurseries, to prevent the dissemination of any noxious  
5 aquatic plant.

6 (e) To make rules governing the application for,  
7 issuance of, suspension of, and revocation of permits under  
8 this section.

9 (f) To enter into cooperative agreements with any  
10 person as necessary or desirable to carry out and enforce the  
11 provisions of this section.

12 (g) To purchase all necessary supplies, material, and  
13 equipment and accept all grants and donations useful in the  
14 implementation and enforcement of the provisions of this  
15 section.

16 (h) To enter upon and inspect any facility or place,  
17 except aquatic plant nurseries regulated by the Department of  
18 Agriculture and Consumer Services, where aquatic plants are  
19 cultivated, held, packaged, shipped, stored, or sold, or any  
20 vehicle of conveyance of aquatic plants, to ascertain whether  
21 the provisions of this section and department regulations are  
22 being complied with, and to seize and destroy, without  
23 compensation, any aquatic plants imported, transported,  
24 cultivated, collected, or otherwise possessed in violation of  
25 this section or department regulations.

26 (i) To conduct a public information program,  
27 including, but not limited to, erection of road signs, in  
28 order to inform the public and interested parties of this  
29 section and its associated rules and of the dangers of noxious  
30 aquatic plant introductions. read:

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(j) To adopt rules requiring the revegetation of a site on sovereignty lands where excessive collection has occurred.

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