

1
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.

8
9 Be It Enacted by the Legislature of the State of Florida:

10
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:

31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

(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.