

CHAMBER ACTION

1 The Environmental Regulation Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to greenways and trails; renaming ch. 260,
7 F.S., as the "Florida Greenways and Trails Act"; amending
8 s. 260.011, F.S.; providing a popular name; amending s.
9 260.012, F.S.; revising legislative intent with respect to
10 the development and completion of the Florida National
11 Scenic Trail; conforming cross references; amending s.
12 260.013, F.S.; revising and providing definitions;
13 amending s. 260.0141, F.S.; removing provisions
14 authorizing certain acquisitions; amending s. 260.0142,
15 F.S.; revising the powers and duties of the Florida
16 Greenways and Trails Council; extending the terms of
17 certain appointees; providing for reappointment of
18 appointees; revising eligibility requirements for
19 appointees of the trail user community to include users of
20 off-highway vehicles; amending s. 260.015, F.S.; removing
21 provisions for the appraisal of certain property by the
22 Department of Environmental Protection; conforming cross
23 references; amending s. 260.016, F.S.; revising the

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24 | general powers of the department; revising provisions
25 | relating to rules for public access to greenways and
26 | trails; conforming cross references; creating s. 260.019,
27 | F.S.; establishing the Florida Circumnavigation Saltwater
28 | Paddling Trail; providing for review, adjustment, and
29 | redesignation of the trail segments by the department;
30 | requiring the department to prepare and submit a report to
31 | the Governor and Legislature by a specified date pursuant
32 | to such review; creating s. 260.021, F.S.; providing for a
33 | partnership between various organizations and mining
34 | interests to develop recreational opportunities on mined
35 | lands; creating s. 335.067, F.S.; creating the Conserve by
36 | Bicycle Program within the Department of Transportation,
37 | providing purposes of the program, and requiring such
38 | department to conduct a Conserve by Bicycle study;
39 | amending s. 373.199, F.S.; requiring water management
40 | districts to include information about the Florida
41 | National Scenic Trail in the Florida Forever Water
42 | Management District Work Plan; amending s. 378.036, F.S.;
43 | removing provisions relating to recreational opportunities
44 | on mined lands; amending s. 380.507, F.S.; revising the
45 | powers of the Florida Communities Trust with respect to
46 | the Florida National Scenic Trail; amending s. 110.501,
47 | F.S.; conforming a cross reference; providing an effective
48 | date.

49 |
50 | Be It Enacted by the Legislature of the State of Florida:
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52 Section 1. Chapter 260, Florida Statutes, entitled
53 "Recreational Trails System," is renamed the "Florida Greenways
54 and Trails Act."

55 Section 2. Section 260.011, Florida Statutes, is amended
56 to read:

57 260.011 Popular name ~~Short title.~~--This chapter Sections
58 ~~260.011-260.018 shall be known and~~ may be cited as the "Florida
59 Greenways and Trails Act."

60 Section 3. Subsections (1), (2), (5), and (6) of section
61 260.012, Florida Statutes, are amended to read:

62 260.012 Declaration of policy and legislative intent.--

63 (1) In order to recognize the benefits of the outdoor
64 areas of Florida, and in order to conserve, develop, and use the
65 natural resources of this state for healthful and recreational
66 purposes, it is declared to be the public policy of this state
67 and the purpose of this chapter ~~ss. 260.011-260.018~~ to provide
68 the means and procedures for establishing and expanding a
69 statewide system of greenways and trails for recreational and
70 conservation purposes and which shall be designated as the
71 "Florida Greenways and Trails System." The standards by which
72 the greenways and trails system shall be acquired, designated,
73 administered, maintained, used, and expanded shall be consistent
74 with the provisions of this chapter ~~ss. 260.011-260.018~~. It is
75 the intent of the Legislature that these greenways and trails
76 will serve to implement the concepts of ecosystems management
77 while providing, where appropriate, recreational opportunities,
78 including, but not limited to, equestrian activities ~~horseback~~
79 ~~riding~~, hiking, bicycling, canoeing, jogging, and historical and

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80 archaeological interpretation, thereby improving the health and
81 welfare of the people.

82 (2) It is the intent of the Legislature that a statewide
83 system of greenways and trails be established to provide open
84 space benefiting environmentally sensitive lands and wildlife
85 and providing people with access to healthful outdoor
86 activities. It is also the intent of the Legislature to acquire
87 or designate lands and waterways to facilitate the establishment
88 of a statewide system of greenways and trails; to encourage the
89 multiple use of public rights-of-way and use to the fullest
90 extent existing and future scenic roads, highways, park roads,
91 parkways, greenways, trails, and national recreational trails;
92 to encourage the development of greenways and trails by
93 counties, cities, ~~and~~ special districts, and nongovernmental
94 organizations to assist in such development by any means
95 available; to coordinate greenway and trail plans and
96 development by local governments with one another and with the
97 state government and Federal Government; to encourage, whenever
98 possible, the development of greenways and trails on federal
99 lands by the Federal Government; and to encourage the owners of
100 private lands to protect the existing ecological, historical,
101 and cultural values of their lands, including those values
102 derived from working landscapes.

103 (5) The planning, development, operation, and maintenance
104 of the Florida Greenways and Trails System authorized by this
105 chapter ~~ss. 260.011-260.018~~ is declared to be a public purpose,
106 and the Department of Environmental Protection, together with
107 other agencies of this state and all counties, municipalities,

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108 | and special districts of this state, is authorized to spend
 109 | public funds for such purposes and to accept gifts and grants of
 110 | funds, property, or property rights from public or private
 111 | sources to be used for such purposes.

112 | (6) It is the intent of the Legislature to officially
 113 | recognize the Florida National Scenic Trail as Florida's
 114 | official statewide nonmotorized trail from the Florida Panhandle
 115 | to the Everglades and the Florida Keys, an approximate length of
 116 | more than 1,400 miles. The Legislature recognizes the major
 117 | contributions made in furtherance of the establishment of the
 118 | Florida National Scenic Trail by the United States Government,
 119 | including significant funding, and the efforts of private
 120 | landowners, state government, and not-for-profit entities such
 121 | as the Florida Trail Association. The Legislature also
 122 | recognizes the significant economic benefit of nature-based
 123 | recreation and the contributions to the state's economy that
 124 | arise from the creation and completion of the trail. In order to
 125 | further its commitment to the residents of this state and the
 126 | United States Government to complete the establishment of the
 127 | trail in a permanent location, it is further ~~also~~ the intent of
 128 | the Legislature to:

129 | (a) Encourage all state, regional, and local agencies that
 130 | ~~who~~ acquire lands to include in their land-buying efforts the
 131 | acquisition of sufficient legal interest in the lands over which
 132 | the trail passes to ensure its continued existence in a
 133 | permanent location.

134 | (b) Officially recognize the route of the trail for
 135 | establishment and acquisition purposes as determined by the

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136 U.S.D.A. Forest Service, assisted by the Florida Trail
 137 Association, in the publication entitled "Preferred Routing for
 138 the Florida National Scenic Trail."

139 (c) With the assistance of the Florida Trail Association
 140 and the Office of Greenways and Trails, encourage state land-
 141 buying agencies to consider the trail a single project with
 142 multiple phases for the purpose of listing and acquisition.

143 (d) Give positive consideration to the inclusion of
 144 private funds used to supplement the state's contribution in its
 145 efforts to acquire fee or less-than-fee interests in lands that
 146 contain designated portions of the trail.

147 (e) Encourage private landowners to continue to allow the
 148 use of private property for trail purposes through existing and
 149 future incentives and liability protection.

150 (f) Encourage state and local agencies with economic and
 151 ecotourism development responsibilities to recognize the
 152 importance of the trail in bringing nature-based tourism to
 153 local communities along the trail route and to support
 154 acquisition and development activities for completion of the
 155 trail in a permanent location.

156 Section 4. Section 260.013, Florida Statutes, is amended
 157 to read:

158 260.013 Definitions.--As used in this chapter ~~ss. 260.011-~~
 159 ~~260.018~~, unless the context otherwise requires:

160 (1) "Board" means the Board of Trustees of the Internal
 161 Improvement Trust Fund.

162 (2) "Department" means the Department of Environmental
 163 Protection.

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164 (3) "Designation" means the identification and inclusion
 165 of specific lands and waterways as part of the statewide system
 166 of greenways and trails pursuant to a formal public process,
 167 including the specific written consent of the landowner. When
 168 the department determines that public access is appropriate for
 169 greenways and trails, written authorization must be granted by
 170 the landowner to the department permitting public access to all
 171 or a specified part of the landowner's property. The
 172 department's determination shall be noticed pursuant to s.
 173 120.525, and the department shall also notify the landowner by
 174 certified mail at least 7 days before any public meeting
 175 regarding the intent to designate.

176 (4) "Greenway" means a linear open space established along
 177 either a natural corridor, such as a riverfront, stream valley,
 178 or ridgeline, or over land along a railroad right-of-way
 179 converted to recreational use, a canal, a scenic road, or other
 180 route; any natural or landscaped course for pedestrian or
 181 bicycle passage; an open space connector linking parks, nature
 182 reserves, cultural features, or historic sites with each other
 183 and populated areas; or a local strip or linear park designated
 184 as a parkway or greenbelt.

185 (5) "Office" means the Office of Greenways and Trails
 186 within the Department of Environmental Protection.

187 ~~(6)(5)~~ "Trails" means linear corridors and any adjacent
 188 support parcels on land or water providing public access for
 189 recreation or authorized alternative modes of transportation.

190 Section 5. Section 260.0141, Florida Statutes, is amended
 191 to read:

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192 260.0141 Greenways and Trails Program.--There is
193 established within the department the "Florida Greenways and
194 Trails Program," the purpose of which is to facilitate the
195 establishment of a statewide system of greenways and trails.
196 ~~Such greenways and trails shall be acquired pursuant to this~~
197 ~~act.~~ Planning materials, maps, data, and other information
198 developed or used in the program shall not be construed as
199 designation of lands as part of the statewide system of
200 greenways and trails. Identification of lands in such
201 information shall not:

202 (1) Require or empower any unit of local or regional
203 government, or any state agency, to impose additional or more
204 restrictive environmental, land-use, or zoning regulations;

205 (2) Be construed or cited as authority to adopt, enforce,
206 or amend any environmental rule or regulation; comprehensive
207 plan goals, policies, or objectives; or zoning or land-use
208 ordinance;

209 (3) Be used as the basis for permit denial; imposition of
210 any permit condition; or application of any rule, regulation, or
211 ordinance by any subdivision of local, regional, or state
212 government; or

213 (4) Be construed or cited as authority by any governmental
214 agency to reduce or restrict the rights of owners of lands so
215 identified.

216 Section 6. Section 260.0142, Florida Statutes, is amended
217 to read:

218 260.0142 Florida Greenways and Trails Council;
219 composition; powers and duties.--

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220 (1) There is ~~hereby~~ created within the department of
 221 ~~Environmental Protection~~ the Florida Greenways and Trails
 222 Council which shall advise the department in the execution of
 223 the department's powers and duties under this chapter. The
 224 council shall be composed of 21 members, consisting of:

225 (a) Five members appointed by the Governor, with two
 226 members representing the trail user community, two members
 227 representing the greenway user community, and one member
 228 representing private landowners. ~~Of the initial appointments,~~
 229 ~~two shall be appointed for 2-year terms and three shall be~~
 230 ~~appointed for 1-year terms. Subsequent appointments shall be for~~
 231 ~~2-year terms.~~

232 (b) Three members appointed by the President of the
 233 Senate, with one member representing the trail user community
 234 and two members representing the greenway user community. ~~Of the~~
 235 ~~initial appointments, two shall be appointed for 2-year terms~~
 236 ~~and one shall be appointed for a 1-year term. Subsequent~~
 237 ~~appointments shall be for 2-year terms.~~

238 (c) Three members appointed by the Speaker of the House of
 239 Representatives, with two members representing the trail user
 240 community and one member representing the greenway user
 241 community. ~~Of the initial appointments, two shall be appointed~~
 242 ~~for 2-year terms and one shall be appointed for a 1-year term.~~
 243 ~~Subsequent appointments shall be for 2-year terms.~~

244
 245 Those eligible to represent the trail user community shall be
 246 chosen from, but not be limited to, paved trail users, hikers,
 247 off-road bicyclists, users of off-highway vehicles, paddlers,

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248 equestrians, disabled outdoor recreational users, and commercial
 249 recreational interests. Those eligible to represent the greenway
 250 user community shall be chosen from, but not be limited to,
 251 conservation organizations, nature study organizations, and
 252 scientists and university experts.

253 (d) The 10 remaining members shall include:

- 254 1. The Secretary of Environmental Protection or a
 255 designee.+
- 256 2. The executive director of the Fish and Wildlife
 257 Conservation Commission or a designee.+
- 258 3. The Secretary of Community Affairs or a designee.+
- 259 4. The Secretary of Transportation or a designee.+
- 260 5. The Director of the Division of Forestry of the
 261 Department of Agriculture and Consumer Services or a designee.+
- 262 6. The director of the Division of Historical Resources of
 263 the Department of State or a designee.+
- 264 7. A representative of the water management districts ~~who~~
 265 ~~shall serve for 1 year~~. Membership on the council shall rotate
 266 among the five districts. The districts shall determine the
 267 order of rotation.+
- 268 8. A representative of a federal land management agency.
 269 The Secretary of Environmental Protection shall identify the
 270 appropriate federal agency and request designation of a
 271 representative from the agency to serve on the council.+
- 272 9. A representative of the regional planning councils to
 273 be appointed by the Secretary of Environmental Protection, in
 274 consultation with the Secretary of Community Affairs. Membership
 275 on the council shall rotate among the seven regional planning

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276 councils. The regional planning councils shall determine the
 277 order of rotation., ~~for a single 2-year term. The representative~~
 278 ~~shall not be selected from the same regional planning council~~
 279 ~~for successive terms; and~~

280 10. A representative of local governments to be appointed
 281 by the Secretary of Environmental Protection, ~~in consultation~~
 282 ~~with the Secretary of Community Affairs, for a single 2-year~~
 283 ~~term.~~ Membership shall alternate between a county representative
 284 and a municipal representative.

285 (2) The department shall provide necessary staff
 286 assistance to the council.

287 (3) The term of all appointees shall be for 2 years unless
 288 otherwise specified. The appointees of the Governor, the
 289 President of the Senate, and the Speaker of the House of
 290 Representatives may be reappointed for no more than four
 291 consecutive terms. The representatives of the water management
 292 districts, regional planning councils, and local governments may
 293 be reappointed for no more than two consecutive terms. All other
 294 appointees shall serve until replaced. ~~The council is authorized~~
 295 ~~to contract for and to accept gifts, grants, or other aid from~~
 296 ~~the United States Government or any person or corporation.~~

297 (4) The duties of the council shall include, ~~but not be~~
 298 ~~limited to,~~ the following:

299 ~~(a) Advise the Department of Environmental Protection, the~~
 300 ~~Department of Community Affairs, the Department of~~
 301 ~~Transportation, the Fish and Wildlife Conservation Commission,~~
 302 ~~the Division of Forestry of the Department of Agriculture and~~
 303 ~~Consumer Services, the water management districts, and the~~

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304 ~~regional planning councils on policies relating to the Florida~~
 305 ~~Greenways and Trails System, and promote intergovernmental~~
 306 ~~cooperation;~~

307 (a)~~(b)~~ Facilitate a statewide system of interconnected
 308 landscape linkages, conservation corridors, greenbelts,
 309 recreational corridors and trails, scenic corridors, utilitarian
 310 corridors, reserves, regional parks and preserves, ecological
 311 sites, and cultural/historic/recreational sites using;

312 ~~(c)~~ Facilitate a statewide system of intereconnected land-
 313 based trails that connect urban, suburban, and rural areas of
 314 the state and facilitate expansion of the statewide system of
 315 freshwater and saltwater paddling trails.

316 (b)~~(d)~~ Recommend priorities for critical links in the
 317 Florida Greenways and Trails System.

318 (c)~~(e)~~ Review recommendations of the office applications
 319 for acquisition funding under the Florida Greenways and Trails
 320 Program and recommend to the Secretary of Environmental
 321 Protection which projects should be acquired.

322 ~~(f)~~ Provide funding recommendations to agencies and
 323 organizations regarding the acquisition, development, and
 324 management of greenways and trails, including the promotion of
 325 private landowner incentives;

326 (d)~~(g)~~ Review designation proposals for inclusion in the
 327 Florida Greenways and Trails System.

328 ~~(h)~~ Provide advocacy and education to benefit the
 329 statewide system of greenways and trails by encouraging
 330 communication and conferencing;

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331 (e)~~(i)~~ Encourage public-private partnerships to develop
332 and manage greenways and trails.;

333 (f)~~(j)~~ Review progress toward meeting established
334 benchmarks and recommend appropriate action.;

335 (g)~~(k)~~ Make recommendations for updating and revising the
336 implementation plan for the Florida Greenways and Trails
337 System.;

338 ~~(l) Advise the Land Acquisition and Management Advisory
339 Council or its successor to ensure the incorporation of
340 greenways and trails in land management plans on lands managed
341 by the Department of Environmental Protection, the Fish and
342 Wildlife Conservation Commission, the Division of Historical
343 Resources of the Department of State, and the Division of
344 Forestry of the Department of Agriculture and Consumer Services;~~

345 ~~(m) Provide advice and assistance to the Department of
346 Transportation and the water management districts regarding the
347 incorporation of greenways and trails into their planning
348 efforts;~~

349 ~~(n) Encourage land use, environmental, and coordinated
350 linear infrastructure planning to facilitate the implementation
351 of local, regional, and statewide greenways and trails systems;~~

352 (h)~~(o)~~ Promote greenways and trails support
353 organizations.;

354 (i)~~(p)~~ Support the Florida Greenways and Trails System
355 through intergovernmental coordination, budget recommendations,
356 advocacy, education, and ~~in~~ any other appropriate way.

357 (5) The council shall establish procedures for conducting
358 its affairs in execution of the duties and responsibilities

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359 | stated in this section, which operating procedures shall include
 360 | determination of a council chair and other appropriate
 361 | operational guidelines. The council shall meet at the call of
 362 | the chair, or at such times as may be prescribed by its
 363 | operating procedures. The council may establish committees to
 364 | conduct the work of the council and the committees may include
 365 | nonmembers as appropriate.

366 | (6) A vacancy on the council shall be filled for the
 367 | remainder of the unexpired term in the same manner as the
 368 | original appointment. Members whose terms have expired may
 369 | continue to serve until replaced or reappointed. ~~No member shall~~
 370 | ~~serve on the council for more than two consecutive terms.~~

371 | (7) Members of the council may ~~shall~~ not receive any
 372 | compensation for their services but are ~~shall be~~ entitled to
 373 | receive reimbursement for per diem and travel expenses incurred
 374 | in the performance of their duties, as provided in s. 112.061.

375 | Section 7. Subsections (1) and (3) of section 260.015,
 376 | Florida Statutes, are amended to read:

377 | 260.015 Acquisition of land.--

378 | (1) The department is authorized to acquire by gift or
 379 | purchase the fee simple absolute title or any lesser interest in
 380 | land, including easements, for the purposes of this chapter ~~ss.~~
 381 | ~~260.011-260.018~~ pursuant to the provisions of chapter 375,
 382 | except that:

383 | (a) The department's power of eminent domain shall be
 384 | limited to curing defects in title accepted by the board
 385 | pursuant to subsection (2).

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386 (b) Lists of proposed acquisitions for the Florida
387 Greenways and Trails Program shall be prepared according to
388 procedures adopted by the department.

389 (c) Projects acquired under this chapter shall not be
390 subject to the evaluation and selection procedures of s.
391 259.035, regardless of the estimated value of such projects. All
392 projects shall be acquired in accordance with the acquisition
393 procedures of chapter 259, except that the department may use
394 the appraisal procedure used by the Department of Transportation
395 to acquire transportation rights-of-way. ~~When a parcel is~~
396 ~~estimated to be valued at \$100,000 or less and the department~~
397 ~~finds that the costs of obtaining an outside appraisal are not~~
398 ~~justified, an appraisal prepared by the department may be used.~~

399 (3) Easements, licenses, and use agreements upon, over,
400 under, across, or along any land, the fee title of which has
401 been acquired for the purposes of this chapter ss. 260.011-
402 ~~260.018~~, may be granted by the department so long as the use of
403 the easement, license, or use agreement does not interfere with
404 the purposes of this chapter ss. 260.011-260.018.

405 Section 8. Subsection (1) and paragraph (a) of subsection
406 (2) of section 260.016, Florida Statutes, are amended to read:

407 260.016 General powers of the department.--

408 (1) The department may:

409 (a) Publish and distribute appropriate maps of designated
410 greenways and trails. ~~The description shall include a~~
411 ~~generalized map delineating the area designated, location of~~
412 ~~suitable ingress and egress sites, as well as other points of~~

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413 ~~interest to enhance the recreational opportunities of the~~
414 ~~public.~~

415 ~~(b) Establish access routes and related public-use~~
416 ~~facilities along greenways and trails which will not~~
417 ~~substantially interfere with the nature and purposes of the~~
418 ~~greenway or trail.~~

419 (b)(e) Adopt appropriate rules to implement or interpret
420 this chapter ~~aet~~ and portions of chapter 253 relating to
421 greenways and trails, which may include, but are not limited to,
422 rules for the following:

- 423 1. Establishing a designation process.
- 424 2. Negotiating and executing agreements with private
425 landowners.
- 426 3. Establishing prohibited activities or restrictions on
427 activities to protect the health, safety, and welfare of the
428 public.
- 429 4. Charging fees for use.
- 430 5. Providing public access to the greatest extent possible
431 while avoiding unnecessary impact upon sensitive environments
432 such as wetlands or animal habitats, wherever encountered.
- 433 6. Providing for maintenance.
- 434 7. Any matter necessary to the evaluation, selection,
435 operation, and maintenance of greenways and trails.

436
437 Any person who violates or otherwise fails to comply with the
438 rules adopted pursuant to subparagraph 3. commits a noncriminal
439 infraction for which a fine of up to \$500 may be imposed.

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440 ~~(c)(d)~~ Coordinate the activities of all governmental units
 441 and bodies and special districts that desire to participate in
 442 the development and implementation of the Florida Greenways and
 443 Trails System.

444 ~~(d)(e)~~ Establish, develop, and publicize greenways and
 445 trails in a manner that will permit public recreation when
 446 appropriate without damaging natural resources and avoiding
 447 unnecessary impact upon sensitive environments such as wetlands
 448 or animal habitats, wherever encountered. The Big Bend Historic
 449 Saltwater Paddling Trail from the St. Marks River to Yankeetown
 450 is hereby designated as part of the Florida Greenways and Trails
 451 System. Additions to this trail may be added by the Legislature
 452 or the department from time to time as part of the Florida a
 453 ~~statewide saltwater~~ Circumnavigation Saltwater Paddling Trail
 454 created in s. 260.19.

455 ~~(e)(f)~~ Enter into agreements with any federal, state, or
 456 local governmental agency, or any other entity for the
 457 management of greenways and trails for recreation and
 458 conservation purposes consistent with the intent of this
 459 chapter. Such entities must demonstrate their capabilities of
 460 management for the purposes defined in this chapter ~~ss. 260.011-~~
 461 ~~260.018~~.

462 ~~(f)(g)~~ Charge reasonable fees or rentals for the use or
 463 operation of facilities and concessions. All such fees, rentals,
 464 or other charges collected shall be deposited in the account or
 465 trust fund of the managing entity.

466 ~~(g)(h)~~ Receive or accept from any legal source, grants for
 467 the purpose of providing or improving public greenways and

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468 | trails, and the department is authorized to disburse funds as
 469 | pass-through grants to federal, state, or local government
 470 | agencies, recognized tribal units, or to nonprofit entities
 471 | created for this purpose. The department has authority to adopt
 472 | rules pursuant to ss. 120.536(1) and 120.54 to implement the
 473 | provisions of this subsection. Such rules shall provide, but are
 474 | not limited to, the following: procedures for grant
 475 | administration and accountability; eligibility, selection
 476 | criteria; maximum grant amounts and number of pending grants;
 477 | dedication requirements; and conversion procedures and
 478 | requirements.

479 | (2) The department shall:

480 | (a) Evaluate lands for the acquisition of greenways and
 481 | trails and compile a list of suitable corridors, greenways, and
 482 | trails, ranking them in order of priority for proposed
 483 | acquisition. The department shall devise a method of evaluation
 484 | which includes, but is not limited to, the consideration of the
 485 | importance and function of such corridors within the statewide
 486 | system as reflected on the opportunity maps and landowners'
 487 | willingness to negotiate.

488 | Section 9. Section 260.019, Florida Statutes, is created
 489 | to read:

490 | 260.019 Florida Circumnavigation Saltwater Paddling
 491 | Trail.--

492 | (1) The Florida Circumnavigation Saltwater Paddling Trail
 493 | is hereby created as part of the Florida Greenways and Trails
 494 | Program.

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495 (2) The department shall establish the initial starting
 496 and ending points by latitude and longitude for the trail
 497 segments described in subsection (3) within 180 days after the
 498 effective date of this act. Except for the Big Bend Historic
 499 Saltwater Paddling Trail, segment 6, the department has the
 500 exclusive authority to officially name and locate the remaining
 501 25 trail segments. The department shall name and locate the
 502 segments based on logical geographical boundaries, safety to
 503 trail users, ease of management, desires of local communities
 504 and user groups, and other factors that assist in the overall
 505 success of the trail system. The department may adjust the
 506 location of any trail segment; give official recognition to
 507 specific sites along the trail route; publish official trail
 508 guides and literature in cooperation with other governmental and
 509 private entities; and resolve conflicts that may arise between
 510 competing and conflicting parties over trail issues. The Florida
 511 Greenways and Trails Council may advise the department on all
 512 matters relating to the paddling trail. By January 1, 2008, the
 513 department shall prepare and submit a report setting forth the
 514 names and locations adopted for each trail segment to the
 515 Governor, the President of the Senate, and the Speaker of the
 516 House of Representatives.

517 (3) The Florida Circumnavigation Saltwater Paddling Trail
 518 shall be composed of 26 segments that start at the Florida-
 519 Alabama border on the west and end at the Florida-Georgia border
 520 on the east. The general geographic locations of the segments
 521 are:

522 (a) Segment 1: Pensacola/Fort Pickens.

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- 523 | (b) Segment 2: Choctawhatchee Bay.
- 524 | (c) Segment 3: Panama City Beach/St. Andrews Bay.
- 525 | (d) Segment 4: St. Joseph Bay/Apalachicola Bay.
- 526 | (e) Segment 5: Alligator Harbor/Ochlockonee Bay.
- 527 | (f) Segment 6: Big Bend Historic Saltwater Paddling Trail.
- 528 | (g) Segment 7: Crystal Bay/St. Martin's.
- 529 | (h) Segment 8: Pinellas.
- 530 | (i) Segment 9: Tampa Bay/Longboat Key.
- 531 | (j) Segment 10: Sarasota/Venice.
- 532 | (k) Segment 11: Charlotte Harbor.
- 533 | (l) Segment 12: Sanibel/Estero Bay.
- 534 | (m) Segment 13: Rookery Bay/Ten Thousand Islands.
- 535 | (n) Segment 14: Everglades National Park.
- 536 | (o) Segment 15: Florida Keys.
- 537 | (p) Segment 16: Biscayne Bay.
- 538 | (q) Segment 17: Hollywood/Ft. Lauderdale.
- 539 | (r) Segment 18: Pompano Beach/Lake Worth.
- 540 | (s) Segment 19: Palm Beach/Loxahatchee.
- 541 | (t) Segment 20: Hobe Sound/Ft. Pierce.
- 542 | (u) Segment 21: Vero Beach/Indian River Saltwater.
- 543 | (v) Segment 22: Merritt Island/Mosquito Lagoon.
- 544 | (w) Segment 23: Tomoka/Flagler.
- 545 | (x) Segment 24: Anastasia/Guana River.
- 546 | (y) Segment 25: Jacksonville/St. Johns River.
- 547 | (z) Segment 26: Nassau/Fort Clinch.

548 | Section 10. Section 260.021, Florida Statutes, is created
549 | to read:

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550 260.021 Recreational opportunities on mined lands.--The
 551 Florida Wildlife Federation, Audubon Florida, and Rails-to-
 552 Trails Conservancy, in partnership with the phosphate industry
 553 and other mining companies, are encouraged to continue the
 554 operation of the nonprofit corporation, Florida Mining-
 555 Recreation, Inc., for the purpose of working with industry,
 556 government, and private landowners to create plans and assist in
 557 the development of recreational opportunities on mined lands in
 558 the state. These opportunities should include walking, hiking,
 559 use of off-highway vehicles, canoeing, bicycling, equestrian
 560 activities, wildlife viewing, and other trail areas along with
 561 developing fishing and hunting lands. The board of directors of
 562 the corporation is encouraged to be composed of a member, or
 563 members, from the companies mining in the state; a member, or
 564 members, chosen by the Florida Wildlife Federation, Audubon
 565 Florida, and Rails-to-Trails Conservancy; and other members
 566 chosen by agreement of the partners. The corporation may be
 567 eligible for funding from public and private sources that
 568 support its purposes.

569 Section 11. Section 335.067, Florida Statutes, is created
 570 to read:

571 335.067 Conserve by Bicycle Program.--There is created
 572 within the Department of Transportation the Conserve by Bicycle
 573 Program.

574 (1) The purposes of the Conserve by Bicycle Program are
 575 to:

576 (a) Save energy by increasing the number of miles ridden
 577 on bicycles, thereby reducing the usage of petroleum-based
 578 fuels.

579 (b) Increase efficiency of cycling as a transportation
 580 mode by improving interconnectivity.

581 (c) Reduce traffic congestion on existing roads.

582 (d) Provide recreational opportunities for Florida
 583 residents and visitors.

584 (e) Provide healthy alternatives to help reduce the trend
 585 toward obesity and reduce long-term health costs.

586 (f) Provide safe ways for children to travel from their
 587 homes to their schools by supporting the Safe Paths to Schools
 588 Program.

589 (2) In order to help accomplish these goals, the
 590 department shall conduct a Conserve by Bicycle study, which
 591 shall include a determination of the following:

592 (a) Where energy savings can be realized when more and
 593 safer bicycle facilities, such as bicycle paths, bicycle lanes,
 594 and other safe locations for bicycle use, are created that
 595 reduce the use of motor vehicles in the area.

596 (b) Where the use of education and marketing programs can
 597 convert motor vehicle trips into bicycle trips.

598 (c) How and under what circumstances the construction of
 599 bicycling facilities can provide more opportunities for
 600 recreation and how exercise can lead to a reduction of health
 601 risks associated with a sedentary lifestyle.

602 (d) How the Safe Paths to Schools Program and other
 603 similar programs can reduce school-related commuter traffic,

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604 which will result in energy and roadway savings as well as
 605 improve the health of children throughout the state.

606 (e) How partnerships can be created among interested
 607 parties in the fields of transportation, law enforcement,
 608 education, public health, environmental restoration and
 609 conservation, and energy conservation to achieve a better
 610 possibility of success for the program.

611 (3) The study shall produce measurable criteria that can
 612 be used by the department to determine where and under what
 613 circumstances the construction of bicycling facilities will
 614 reduce energy consumption and the need for and cost of roadway
 615 capacity, as well as realizing the associated health benefits.

616 (4) The department shall conduct the study with the
 617 assistance of the State Pedestrian/Bicycle Coordinator,
 618 metropolitan planning organizations, the Office of Greenways and
 619 Trails within the Department of Environmental Protection, and
 620 the Department of Health.

621 (5) By July 1, 2007, if sufficient funds are available in
 622 the department's budget or from the Federal Government, the
 623 study shall be completed and shall be submitted to the Governor,
 624 the President of the Senate, the Speaker of the House of
 625 Representatives, the Secretary of Transportation, the Secretary
 626 of Environmental Protection, and the Secretary of Health.

627 Section 12. Paragraph (k) of subsection (4) of section
 628 373.199, Florida Statutes, is amended to read:

629 373.199 Florida Forever Water Management District Work
 630 Plan.--

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631 (4) The list submitted by the districts shall include,
632 where applicable, the following information for each project:

633 (k) An identification of the proposed public access for
634 projects with land acquisition components, including the Florida
635 National Scenic Trail.

636 Section 13. Subsection (6) of section 378.036, Florida
637 Statutes, is amended to read:

638 378.036 Land acquisitions financed by Nonmandatory Land
639 Reclamation Trust Fund moneys.--

640 ~~(6)(a) By January 1, 2004, or within 6 months following~~
641 ~~the date funds become available from the Legislature, whichever~~
642 ~~is later, the Florida Wildlife Federation, Audubon Florida, and~~
643 ~~Rails to Trails Conservancy in partnership with the Florida~~
644 ~~Phosphate Council are authorized to form a nonprofit corporation~~
645 ~~pursuant to chapter 617 for the purpose of implementing this~~
646 ~~section by creating plans and assisting in the development of~~
647 ~~recreational opportunities on lands mined for phosphate in the~~
648 ~~state. The first plans must concentrate on recreational~~
649 ~~activities in Hardee and Hamilton Counties which will assist~~
650 ~~them in rural economic development.~~

651 ~~(b) The board of directors of the corporation shall be~~
652 ~~composed of three members, one designated by the Florida~~
653 ~~Phosphate Council, one as the designee of the Florida Wildlife~~
654 ~~Federation, Audubon Florida, and Rails to Trails Conservancy,~~
655 ~~and the third chosen by the other two designees.~~

656 ~~(c) The business of the corporation shall be conducted by~~
657 ~~the board of directors or a chief executive officer as the board~~
658 ~~shall see fit in accordance with the provisions of its articles~~

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659 ~~of incorporation and applicable law. The activities of the~~
 660 ~~corporation shall be coordinated with all landowners who have~~
 661 ~~voluntarily agreed to participate in the process as well as any~~
 662 ~~local government where such lands are recorded.~~

663 ~~(d) An annual report of the activities of the corporation,~~
 664 ~~including a certified audit, shall be presented to the Secretary~~
 665 ~~of Environmental Protection or his or her designee by October 31~~
 666 ~~of each year following incorporation.~~

667 ~~(e) The corporation shall dissolve on January 1, 2009,~~
 668 ~~unless dissolved previously by action of its board of directors~~
 669 ~~or extended by the Legislature. Upon dissolution, any moneys~~
 670 ~~remaining in the accounts of the corporation that are~~
 671 ~~unobligated shall be returned to the funds from which they were~~
 672 ~~appropriated in proportion to the amount contributed. All~~
 673 ~~tangible assets of the corporation at dissolution which were~~
 674 ~~acquired using state funding shall become the property of the~~
 675 ~~Department of Environmental Protection.~~

676 Section 14. Subsection (4) of section 380.507, Florida
 677 Statutes, is amended to read:

678 380.507 Powers of the trust.--The trust shall have all the
 679 powers necessary or convenient to carry out the purposes and
 680 provisions of this part, including:

681 (4) To acquire and dispose of real and personal property
 682 or any interest therein when necessary or appropriate to protect
 683 the natural environment, provide public access or public
 684 recreational facilities, including the Florida National Scenic
 685 Trail, preserve wildlife habitat areas, provide access for
 686 managing acquired lands, or otherwise carry out the purposes of

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687 | this part. If the trust acquires land for permanent state
 688 | ownership, title to such land shall be vested in the Board of
 689 | Trustees of the Internal Improvement Trust Fund; otherwise,
 690 | title to property acquired in partnership with a county or
 691 | municipality shall vest in the name of the local government.
 692 | Notwithstanding any other provision of law, the trust may enter
 693 | into an option agreement to purchase lands included in projects
 694 | approved according to this part, when necessary to reserve lands
 695 | during the preparation of project plans and during acquisition
 696 | proceedings. The consideration for an option shall not exceed
 697 | \$100,000.

698 | Section 15. Subsection (1) of section 110.501, Florida
 699 | Statutes, is amended to read:

700 | 110.501 Definitions.--As used in this act:

701 | (1) "Volunteer" means any person who, of his or her own
 702 | free will, provides goods or services, or conveys an interest in
 703 | or otherwise consents to the use of real property pursuant to
 704 | chapter 260 ~~ss. 260.011-260.018~~, to any state department or
 705 | agency, or nonprofit organization, with no monetary or material
 706 | compensation. A person registered and serving in Older American
 707 | Volunteer Programs authorized by the Domestic Volunteer Service
 708 | Act of 1973, as amended (Pub. L. No. 93-113), shall also be
 709 | defined as a volunteer and shall incur no civil liability as
 710 | provided by s. 768.1355. A volunteer shall be eligible for
 711 | payment of volunteer benefits as specified in Pub. L. No. 93-
 712 | 113, this section, and s. 430.204.

713 | Section 16. This act shall take effect upon becoming a
 714 | law.