

Bill No. SB 1866

Barcode 132946

CHAMBER ACTION

Senate

House

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The Committee on Government Efficiency Appropriations
(Campbell) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Section 327.803, Florida Statutes, is
amended to read:

327.803 Boating Advisory Council.--

(1) The Boating Advisory Council is created within the
Fish and Wildlife Conservation Commission and shall be
composed of 18 ~~17~~ members. The members include:

(a) One representative from the Fish and Wildlife
Conservation Commission, who shall serve as the chair of the
council.

(b) One representative each from the Department of
Environmental Protection, the United States Coast Guard
Auxiliary, the United States Power Squadron, and the inland
navigation districts.

(c) One representative of manatee protection

Bill No. SB 1866

Barcode 132946

1 interests, one representative of the marine industries, one
 2 representative ~~two representatives~~ of water-related
 3 environmental groups, one representative of canoe or kayak
 4 enthusiasts, one representative of marine manufacturers, one
 5 representative of commercial vessel owners or operators, one
 6 representative of marine special events ~~sport boat racing~~, one
 7 representative actively involved and working full-time in the
 8 scuba diving industry who has experience in recreational
 9 boating, one representative of either the commercial fishing
 10 industry or the commercial shellfishing industry, and two
 11 representatives of the boating public, each of whom shall be
 12 nominated by the executive director of the Fish and Wildlife
 13 Conservation Commission and appointed by the Governor to serve
 14 staggered 3-year ~~2-year~~ terms. Members appointed by the
 15 Governor may serve no more than two full consecutive terms.

16 (d) One member of the House of Representatives, who
 17 shall be appointed by the Speaker of the House of
 18 Representatives.

19 (e) One member of the Senate, who shall be appointed
 20 by the President of the Senate.

21 (2) The council shall meet at the call of the chair,
 22 at the request of a majority of its membership, or at such
 23 times as may be prescribed by rule.

24 (3) The purpose of the council is to make
 25 recommendations to the Fish and Wildlife Conservation
 26 Commission and the Department of Community Affairs regarding
 27 issues affecting the boating community, including, but not
 28 limited to, issues related to:

29 (a) Boating and diving safety education.

30 (b) Boating-related facilities, including marinas and
 31 boat testing facilities.

Bill No. SB 1866

Barcode 132946

1 (c) Boat usage.

2 (d) Boat access.

3 (e) Working waterfronts.

4 (4) Members of the council shall serve without
5 compensation but are entitled to reimbursement of expenses as
6 provided in s. 112.061.

7 (5) A vacancy on the council shall be filled for the
8 remainder of the unexpired term in the same manner as the
9 original appointment. Members whose terms have expired may
10 continue to serve until replaced or reappointed.

11 (6) Members of the council may be removed for cause.

12 Section 2. Paragraphs (d) and (e) of subsection (2) of
13 section 370.06, Florida Statutes, are amended to read:

14 370.06 Licenses.--

15 (2) SALTWATER PRODUCTS LICENSE.--

16 (d) A saltwater products license may be issued in the
17 name of an individual or a valid commercial vessel ~~boat~~
18 registration number. However, a firm or corporation may only
19 receive a license issued to a valid commercial vessel
20 registration number. A saltwater products license may not be
21 transferred by the licenseholder to another individual, firm,
22 or corporation. ~~Such license is not transferable.~~ A decal
23 shall be issued with each saltwater products license issued to
24 a valid commercial vessel ~~boat~~ registration number. The
25 saltwater products license decal shall be the same color as
26 the vessel registration decal issued each year pursuant to s.
27 328.48(5) and shall indicate the period of time such license
28 is valid. The saltwater products license decal shall be placed
29 beside the vessel registration decal and, in the case of an
30 undocumented vessel, shall be placed so that the vessel
31 registration decal lies between the commercial vessel

Bill No. SB 1866

Barcode 132946

1 registration number and the saltwater products license decal.
2 Any saltwater products license decal for a previous year shall
3 be removed from a vessel operating on the waters of the state.

4 (e) The annual fee for a saltwater products license
5 is:

6 1. For a license issued in the name of an individual
7 which authorizes only that individual to engage in commercial
8 fishing activities from the shore or a vessel: a resident must
9 pay \$50; a nonresident must pay \$200; or an alien must pay
10 \$300.

11 2. For a license issued in the name of an individual
12 which authorizes that named individual to engage in commercial
13 fishing activities from the shore or a vessel and also
14 authorizes each person who is fishing with the named
15 individual aboard a vessel to engage in such activities: a
16 resident must pay \$150; a nonresident must pay \$600; or an
17 alien must pay \$900.

18 3. For a license issued to a valid commercial vessel
19 registration number which authorizes each person aboard such
20 registered vessel to engage in commercial fishing activities:
21 a resident, or a resident firm or corporation, must pay \$100;
22 a nonresident, or a nonresident firm or corporation, must pay
23 \$400; or an alien, or an alien firm or corporation, must pay
24 \$600. For purposes of this subparagraph, a resident firm or
25 corporation means a firm or corporation formed under the laws
26 of this state; a nonresident firm or corporation means a firm
27 or corporation formed under the laws of any state other than
28 Florida; and an alien firm or corporation means a firm or
29 corporation organized under any laws other than laws of the
30 United States, any United States territory or possession, or
31 any state of the United States. A resident shall pay an annual

Bill No. SB 1866

Barcode 132946

1 ~~license fee of \$50 for a saltwater products license issued in~~
2 ~~the name of an individual or \$100 for a saltwater products~~
3 ~~license issued to a valid boat registration number. A~~
4 ~~nonresident shall pay an annual license fee of \$200 for a~~
5 ~~saltwater products license issued in the name of an individual~~
6 ~~or \$400 for a saltwater products license issued to a valid~~
7 ~~boat registration number. An alien shall pay an annual license~~
8 ~~fee of \$300 for a saltwater products license issued in the~~
9 ~~name of an individual or \$600 for a saltwater products license~~
10 ~~issued to a valid boat registration number.~~

11 Section 3. Paragraph (b) of subsection (1) of section
12 370.13, Florida Statutes, is amended to read:

13 370.13 Stone crab; regulation.--

14 (1) FEES AND EQUITABLE RENT.--

15 (b) Certificate fees.--

16 1. For each trap certificate issued by the commission
17 under the requirements of the stone crab trap limitation
18 program established by commission rule, there is an annual fee
19 of \$.50 per certificate. Replacement tags for lost or damaged
20 tags cost \$.50 each, except that tags lost in the event of a
21 major natural disaster declared as an emergency disaster by
22 the Governor shall be replaced for the cost of the tag as
23 incurred by the commission.

24 2. The fee for transferring trap certificates is \$1
25 per certificate transferred, except that the fee for eligible
26 crew members is 50 cents per certificate transferred. Except
27 for transfers to Eligible crew members shall be as determined
28 according to criteria established by rule of the commission,
29 ~~the fee for transferring certificates is \$2 per certificate~~
30 ~~transferred to be paid by the purchaser of the certificate or~~
31 ~~certificates. The transfer fee for eligible crew members is \$1~~

Bill No. SB 1866

Barcode 132946

1 ~~per certificate~~. Payment must be made by money order or
2 cashier's check, submitted with the certificate transfer form
3 developed by the commission.

4 3. In addition to the transfer fee, a surcharge of \$1
5 ~~\$2~~ per certificate transferred, or 25 percent of the actual
6 value of the transferred certificate, whichever is greater,
7 will be assessed the first time a certificate is transferred
8 outside the original holder's immediate family.

9 4. Transfer fees and surcharges only apply to the
10 actual number of certificates received by the purchaser. A
11 transfer of a certificate is not effective until the
12 commission receives a notarized copy of the bill of sale as
13 proof of the actual value of the transferred certificate or
14 certificates, which must also be submitted with the transfer
15 form and payment.

16 5. A transfer fee will not be assessed or required
17 when the transfer is within a family as a result of the death
18 or disability of the certificate owner. A surcharge will not
19 be assessed for any transfer within an individual's immediate
20 family.

21 6. The fees and surcharge amounts in this paragraph
22 apply in the 2005-2006 license year and subsequent years.

23 Section 4. Section 372.674, Florida Statutes, is
24 repealed.

25 Section 5. Paragraph (d) of subsection (2) of section
26 372.672, Florida Statutes, is amended to read:

27 372.672 Florida Panther Research and Management Trust
28 Fund.--

29 (2) Money from the fund shall be spent only for the
30 following purposes:

31 ~~(d) To fund and administer education programs~~

Bill No. SB 1866

Barcode 132946

1 ~~authorized in s. 372.674.~~

2 Section 6. This act shall take effect July 1, 2005.

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5 ===== T I T L E A M E N D M E N T =====

6 And the title is amended as follows:

7 Delete everything before the enacting clause

8

9 and insert:

10 A bill to be entitled

11 An act relating to the Fish and Wildlife

12 Conservation Commission; amending s. 327.803,

13 F.S.; revising the membership of the Boating

14 Advisory Council; increasing the terms of

15 office of members appointed by the Governor and

16 limiting the number of consecutive terms they

17 may serve; adding issues upon which the council

18 makes recommendations to the commission and the

19 Department of Community Affairs; authorizing

20 reimbursement of expenses for members of the

21 council; providing for the filling of

22 vacancies; providing for members of the council

23 to be removed for cause; amending s. 370.06,

24 F.S.; providing for receipt of a saltwater

25 products license issued by the commission to a

26 firm or corporation; revising a provision

27 barring transfer of a saltwater products

28 license; revising a provision regarding the

29 annual fee that an individual, firm, or

30 corporation must pay for a license; providing

31 for an increase in annual saltwater products

Bill No. SB 1866

Barcode 132946

1 license fees; providing definitions; amending
2 s. 370.13, F.S.; reducing stone crab trap
3 certificate transfer fees; reducing surcharge
4 fees; repealing s. 372.674, F.S., relating to
5 environmental education and the Advisory
6 Council on Environmental Education; amending s.
7 372.672, F.S., relating to the Florida Panther
8 Research and Management Trust Fund, to conform;
9 providing an effective date.

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