

Bill No. CS for SB 1506

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Latvala moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 15, lines 22-28, delete those lines		
15			
16	and insert:		
17	Section 5. Section 370.093, Florida Statutes, is		
18	amended to read:		
19	370.093 Illegal use of nets.--		
20	(1) It is unlawful to take or harvest, or to attempt		
21	to take or harvest, any marine life in Florida waters with any		
22	net that is not consistent with the provisions of s. 16, Art.		
23	X of the State Constitution.		
24	(2)(a) Beginning July 1, 1998, it is also unlawful to		
25	take or harvest, or to attempt to take or harvest, any marine		
26	life in Florida waters with any net, as defined in subsection		
27	(3) and any attachments to such net, that combined are larger		
28	than 500 square feet and have not been expressly authorized		
29	for such use by rule of the Marine Fisheries Commission under		
30	s. 370.027. The use of currently legal shrimp trawls and		
31	purse seines outside nearshore and inshore Florida waters		

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1 shall continue to be legal until the commission implements
2 rules regulating those types of gear.

3 (b) The use of gill or entangling nets of any size is
4 prohibited, as such nets are defined in s. 16, Art. X of the
5 State Constitution. Any net constructed wholly or partially
6 of monofilament or multistrand monofilament ~~multifilament~~
7 material, other than a hand thrown cast net, or a handheld
8 landing or dip net, shall be considered to be an entangling
9 net within the prohibition of s. 16, Art. X of the State
10 Constitution unless specifically authorized by rule of the
11 commission. Multistrand monofilament ~~Multifilament~~ material
12 shall not be defined to include nets constructed of braided or
13 twisted nylon, cotton, linen twine, or polypropylene twine.

14 (c) This subsection shall not be construed to apply to
15 aquaculture activities licenses issued pursuant to s. 370.26.

16 (3) As used in s. 16, Art. X of the State Constitution
17 and this subsection, the term "net" or "netting" must be
18 broadly construed to include all manner or combination of mesh
19 or webbing or any other solid or semisolid fabric or other
20 material used to comprise a device that is used to take or
21 harvest marine life.

22 (4) Upon the arrest of any person for violation of
23 this subsection, the arresting officer shall seize the nets
24 illegally used. Upon conviction of the offender, the arresting
25 authority shall destroy the nets.

26 (5) Any person who violates this section shall be
27 punished as provided in s. 370.092(4).

28 (6) The Marine Fisheries Commission is granted
29 authority to adopt rules pursuant to ss. 370.025 and 370.027
30 implementing this section and the prohibitions and
31 restrictions of s. 16, Art. X of the State Constitution.

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

2 And the title is amended as follows:

3 On page 1, line 23, after the comma

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5 insert:

6 prohibiting the use of certain nets composed of

7 specified materials; providing a definition;

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