

Bill No. CS for SB 1506

Amendment No. ____

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
---------------	----------------	--------------

1	.	
2	.	
3	.	
4	.	

5		
6		
7		
8		
9		

11 Senator Latvala moved the following amendment:

12

13 **Senate 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

Bill No. CS for SB 1506

Amendment No. ____

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 multifilament material, other than a hand
7 thrown cast net, or a handheld landing or dip net, shall be
8 considered to be an entangling net within the prohibition of
9 s. 16, Art. X of the State Constitution unless specifically
10 authorized by rule of the commission. Multifilament material
11 shall not be defined to include nets constructed of braided or
12 twisted nylon, cotton, linen twine, or polypropylene twine.

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

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

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

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

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

31