

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

Representative(s) Kelly offered the following:

Amendment (with title amendment)

On page 13, between lines 6 and 7,

insert:

Section 3. Subsection (6) of section 370.07, Florida Statutes, is amended, and a new subsection (8) is created to read:

370.07 Wholesale and retail saltwater products dealers; regulation.--

(6) RECORDS TO BE KEPT ON SALTWATER PRODUCTS.--

(a) Wholesale dealers shall be required by the department to make and preserve a record of the names and addresses of persons from whom or to whom saltwater products are purchased or sold, the quantity so purchased or sold from or to each vendor or purchaser, and the date of each such transaction. Retail dealers shall be required to make and preserve a record from whom all saltwater products are purchased. Such record shall be open to inspection at all times by the department. A report covering the sale of

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1 saltwater products shall be made monthly or as often as
2 required by rule to the department by each wholesale dealer.
3 All reports required under this subsection are confidential
4 and shall be exempt from the provisions of s. 119.07(1) Except
5 that, pursuant to authority related to interstate fishery
6 compacts as provided by s. 370.19(3) and s. 370.20(3), reports
7 may be shared with another state if that state is a member of
8 an interstate fisheries compact, and if that state has signed
9 a Memorandum of Agreement or a similar instrument agreeing to
10 preserve confidentiality as established by Florida law.

11 (b) The department may revoke, suspend, or deny the
12 renewal of the license of any dealer for failure to make and
13 keep required records, for failure to make required reports,
14 for failure or refusal to permit the examination of required
15 records, or for falsifying any such record. In addition to,
16 or in lieu of, the penalties ~~penalty~~ imposed pursuant to this
17 paragraph and s. 370.021, the department may impose against
18 any person, firm, or corporation who is determined to have
19 violated any provision of this paragraph or any provisions of
20 any department rules promulgated pursuant to s. 370.0607, the
21 following additional penalties:

22 1. For the first violation, a civil penalty of up to
23 \$1,000;

24 2. For a second violation committed within 24 months
25 of any previous violation, a civil penalty of up to \$2,500;
26 and

27 3. For a third or subsequent violation committed
28 within 36 months of any previous two violations, a civil
29 penalty of up to \$5,000.

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31 The proceeds of all civil penalties collected pursuant to this

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1 subsection shall be deposited into the Marine Resources
2 Conservation Trust Fund and shall be used for administration,
3 auditing, and law enforcement purposes ~~penalties pursuant to~~
4 s. 370.021.

5 (8) UNLAWFUL PURCHASE OF SALTWATER PRODUCTS.--It is
6 unlawful for any licensed retail dealer or any restaurant
7 licensed by the Division of Hotels and Restaurants of the
8 Department of Business and Professional Regulation to buy
9 saltwater products from any person other than a licensed
10 wholesale or retail dealer.

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

14 And the title is amended as follows:

15 On page 1, line 24, after "research;",

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17 insert:

18 amending s. 370.07, F.S.; clarifying
19 confidentiality requirements of fisheries data
20 shared with regional fisheries councils;
21 providing penalties for violators of certain
22 fisheries laws;

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