

1 A bill to be entitled
2 An act relating to aquaculture; amending s.
3 370.027, F.S.; providing that marine
4 aquaculture products are exempt from Fish and
5 Wildlife Conservation Commission resource
6 management rules, except for snook; amending s.
7 370.06, F.S.; authorizing the Fish and Wildlife
8 Conservation Commission to issue special
9 activity permits for importation and possession
10 of sturgeon; requiring that specific management
11 practices be incorporated into special activity
12 licenses; amending s. 370.10, F.S.; authorizing
13 the taking of saltwater species for
14 aquacultural purposes; amending s. 370.1107,
15 F.S.; making it unlawful to interfere with live
16 bait traps; amending s. 370.26, F.S.;
17 redefining the terms "marine product facility"
18 and "marine aquaculture producer"; amending s.
19 370.31, F.S.; providing responsibilities for
20 the Sturgeon Production Working Group; amending
21 s. 372.0025, F.S.; amending s. 581.145(3),
22 F.S.; allowing water hyacinths to be sold
23 outside the United States; providing for
24 regulatory responsibilities over the Florida
25 Aquaculture Policy Act; amending s. 372.65,
26 F.S.; providing for an exemption; amending s.
27 597.0015, F.S.; redefining the term
28 "aquaculture producers"; amending s. 597.004,
29 F.S.; providing for restrictions on aquaculture
30 certificates; amending s. 597.0041, F.S.;
31 providing for the revocation of certificates;

1 creating s. 597.0045, F.S.; providing a
2 cultured shellfish theft reward program;
3 providing for administration; providing a
4 severability clause; providing an effective
5 date.

6
7 Be It Enacted by the Legislature of the State of Florida:

8
9 Section 1. Subsection (4) of section 370.027, Florida
10 Statutes, 1998 Supplement, is amended to read:

11 370.027 Rulemaking authority with respect to marine
12 life.--

13 (4) Marine aquaculture producers shall be regulated by
14 the Department of Agriculture and Consumer Services. The Fish
15 and Wildlife Conservation Commission shall adopt rules, by
16 March 1, 2000, to regulate the sale of farmed red drum and
17 spotted sea trout. These rules shall specifically provide for
18 the protection of the wild resource, without restricting a
19 certified aquaculture producer pursuant to s. 597.004 from
20 being able to sell farmed fish. To that extent, these rules
21 must only require that farmed fish be kept separate from wild
22 fish and be fed commercial feed, that farmed fish be placed in
23 sealed containers, that these sealed containers must have the
24 name, address, telephone number and aquaculture certificate
25 number, issued pursuant to s. 597.004, of the farmer clearly
26 and indelibly placed on the container, and that this
27 information must accompany the fish to the ultimate point of
28 sale. Marine aquaculture products produced by a marine
29 aquaculture producer, certified pursuant to s. 597.004, are
30 exempt from Fish and Wildlife Conservation ~~Marine Fisheries~~
31 Commission resource management rules, with the exception of

1 such rules governing any fish of the genus Centropomus
2 (snook), ~~the genus Sciaenops (red drum), or the genus~~
3 ~~Cynoscion (spotted sea trout). Marine Fisheries Commission~~
4 ~~rules relating to the aquacultural production of red drum and~~
5 ~~spotted sea trout must be developed and adopted by the~~
6 ~~commission no later than 1 year from October 1, 1996. By July~~
7 1, 2000, the Fish and Wildlife Conservation Commission shall
8 develop procedures to allow persons possessing a valid
9 aquaculture certificate of registration to sell and transport
10 live snook produced in private ponds or private hatcheries as
11 brood stock, to stock private ponds, or for aquarium display
12 consistent with the provisions of Rule 39-23.009, Florida
13 Administrative Code.

14 Section 2. Paragraphs (b) and (d) of subsection (4) of
15 section 370.06, Florida Statutes, 1998 Supplement, are amended
16 to read:

17 370.06 Licenses.--

18 (4) SPECIAL ACTIVITY LICENSES.--

19 (b) The Fish and Wildlife Conservation Commission
20 ~~department~~ is authorized to issue special activity licenses in
21 accordance with this section and s. 370.31, to permit the
22 importation and possession, and aquaculture of wild
23 anadromous sturgeon. The commission is also authorized to
24 issue special activity licenses, in accordance with this
25 section and s. 370.31, to permit the importation, possession,
26 and aquaculture of native and nonnative anadromous sturgeon
27 until best-management practices are implemented for the
28 cultivation of anadromous sturgeon pursuant to s. 597.004.The
29 special activity license shall provide for specific management
30 practices to prevent the release and escape of cultured
31

1 anadromous sturgeon and to protect indigenous populations of
2 saltwater species.

3 (d) The conditions and specific management practices
4 established in this section shall ~~may~~ be incorporated into
5 permits and authorizations issued pursuant to chapter 253,
6 chapter 373, chapter 403, or this chapter, when incorporating
7 such provisions is in accordance with the aquaculture permit
8 consolidation procedures. No separate issuance of a special
9 activity license is required when conditions and specific
10 management practices are incorporated into permits or
11 authorizations under this paragraph. Implementation of this
12 section to consolidate permitting actions does not constitute
13 rules within the meaning of s. 120.52.

14 Section 3. Subsection (2) of section 370.10, Florida
15 Statutes, 1998 Supplement, is amended to read:

16 370.10 Crustacea, marine animals, fish; regulations;
17 general provisions.--

18 (2) TAKING SALTWATER SPECIES FOR EXPERIMENTAL,
19 AQUACULTURAL, SCIENTIFIC, EDUCATION, AND EXHIBITION
20 PURPOSES.--Notwithstanding any other provisions of general or
21 special law to the contrary, the Fish and Wildlife
22 Conservation Commission ~~department~~ may authorize, upon such
23 terms, conditions, and restrictions as it may prescribe by
24 rule, any properly accredited person to harvest or possess
25 indigenous or nonindigenous saltwater species for
26 experimental, scientific, education, and exhibition purposes
27 or to harvest or possess reasonable quantities of aquacultural
28 species for brood stock.Such authorizations may allow
29 collection of specimens without regard to, and not limited to,
30 size, seasonal closure, collection method, reproductive state,
31 or bag limit. Authorizations issued under the provisions of

1 this section may be suspended or revoked by the Fish and
2 Wildlife Conservation Commission ~~department~~ if it finds that
3 the person has violated this section, Fish and Wildlife
4 Conservation Commission ~~department~~ rules or orders, or terms
5 or conditions of the authorization or has submitted false or
6 inaccurate information in his or her application.

7 Section 4. Present subsections (3) and (4) of section
8 370.1107, Florida Statutes, are renumbered as subsections (4)
9 and (5), respectively, and a new subsection (3) is added to
10 that section to read:

11 370.1107 Definition; possession of certain licensed
12 traps prohibited; penalties; exceptions; consent.--

13 (3) It is unlawful for any person, firm, corporation,
14 or association to possess, attempt to possess, interfere with,
15 attempt to interfere with, or remove live bait from a live
16 bait trap or cage of another person, firm, corporation, or
17 association. Unlawful possession of one or more live bait
18 traps or cages is a misdemeanor of the first degree,
19 punishable as provided in s. 775.082 or s. 775.083.

20 Section 5. Paragraphs (a) and (b) of subsection (1) of
21 section 370.26, Florida Statutes, 1998 Supplement, are amended
22 to read:

23 370.26 Aquaculture definitions; marine aquaculture
24 products, producers, and facilities.--

25 (1) As used in this section, the term:

26 (a) "Marine aquaculture ~~product~~ facility" means a
27 facility built and operated for the purpose of producing
28 marine aquaculture products. Marine aquaculture ~~product~~
29 facilities contain culture systems such as, but not limited
30 to, ponds, tanks, raceways, cages, and bags used for
31 commercial production, propagation, growout, or product

1 enhancement of marine products. Marine aquaculture ~~product~~
2 facilities specifically do not include:

3 1. Facilities that maintain marine aquatic organisms
4 exclusively for the purpose of shipping, distribution,
5 marketing, or wholesale and retail sales;

6 2. Facilities that maintain marine aquatic organisms
7 for noncommercial, education, exhibition, or scientific
8 purposes;

9 3. Facilities in which the activity does not require
10 an aquaculture certification pursuant to s. 597.004; or

11 4. Facilities used by marine aquarium hobbyists.

12 (b) "Marine aquaculture producer" means a person
13 holding an aquaculture certificate pursuant to s. 597.004 to
14 produce marine aquaculture products ~~for sale~~.

15 Section 6. Section 370.31, Florida Statutes, is
16 amended to read:

17 370.31 Commercial production of sturgeon.--

18 (1) INTENT.--The Legislature finds and declares that
19 there is a need to encourage the continuation and advancement
20 of work being done on aquaculture sturgeon production in
21 keeping with the state's legislative public policy regarding
22 aquaculture provided in chapter 597. It also finds that it is
23 in the state's economic interest to promote the commercial
24 production and stock enhancement of sturgeon. It is therefore
25 the intent of the Legislature to hereby create a Sturgeon
26 Production Working Group.

27 (2) CREATION.--The Sturgeon Production Working Group
28 is created within the Department of Environmental Protection
29 and shall be composed of six members as follows:

30 (a) The head of the sturgeon research program or
31 designee from the University of Florida, Institute of Food and

1 Agricultural Sciences. Such member shall be appointed by the
2 University of Florida's Vice President for Agricultural
3 Affairs.

4 (b) One representative from the Department of
5 Environmental Protection to be appointed by the Secretary of
6 Environmental Protection.

7 (c) One representative from the Fish and Wildlife
8 Conservation Game and Fresh Water Fish Commission to be
9 appointed by the executive director of the Fish and Wildlife
10 Conservation Game and Fresh Water Fish Commission.

11 (d) One representative from the Department of
12 Agriculture and Consumer Services to be appointed by the
13 Commissioner of Agriculture.

14 (e) Two representatives from the aquaculture industry
15 to be appointed by the Aquaculture Review Council.

16 (3) MEETINGS; PROCEDURES; RECORDS.--The working group
17 shall meet at least twice a year and elect, by a quorum, a
18 chair, vice chair, and secretary. ~~However, the working group~~
19 ~~shall call its first meeting within 1 month after October 1,~~
20 ~~1996.~~

21 (a) The chair of the working group shall preside at
22 all meetings and shall call a meeting as often as necessary to
23 carry out the provisions of this section. To call a meeting,
24 the chair shall solicit an agreement to meet from at least two
25 other working group members and then notify any remaining
26 members of the meeting.

27 (b) The secretary shall keep a complete record of the
28 proceedings of each meeting, which includes the names of the
29 members present at each meeting and the actions taken. Such
30 records shall be kept on file with the Department of
31 Environmental Protection with copies filed with the Department

1 of Fisheries and Aquatic Sciences ~~Aquatics~~ at the University
2 of Florida. The records shall be public records pursuant to
3 chapter 119.

4 (c) A quorum shall consist of one representative from
5 the Department of Environmental Protection, one representative
6 from the Institute of Food and Agricultural Sciences, and at
7 least two other members.

8 (4) PURPOSE AND RESPONSIBILITIES.--The purpose of the
9 Sturgeon Production Working Group is to coordinate the
10 implementation of ~~establish~~ a state sturgeon production
11 management plan ~~aquaculture program~~ to promote the commercial
12 production and stock enhancement of sturgeon in Florida. In
13 carrying out this purpose, the working group shall:

14 (a) Establish a state sturgeon production management
15 plan ~~aquaculture program~~ to inform public or private
16 interested parties of how to aquaculturally produce sturgeon
17 for commercial purposes and for stock enhancement. The
18 sturgeon production management plan ~~program~~ shall:

19 1. Provide the regulatory policies for the commercial
20 production of ~~Determine how~~ sturgeon ~~can be produced~~
21 ~~commercially for its~~ meat and roe, including a strategy for
22 obtaining the required permits, licenses, authorizations, or
23 certificates in the state.

24 2. Provide the management practices for culturing
25 sturgeon and ensure that aquacultural development does not
26 impede the recovery and conservation of wild sturgeon
27 populations.

28 3. Establish priorities for research needed to support
29 the commercial production of sturgeon and the recovery of
30 native stocks in the state.

31

1 (b) Support management strategies to permit the
2 commercial production of native and nonnative sturgeon,
3 including the distribution of captive-bred Gulf sturgeon to
4 approved certified aquaculture facilities.

5 (c) Support the development of a cooperative sturgeon
6 conservation program to coordinate conservation, habitat, and
7 resource management programs for native sturgeon, including an
8 evaluation of how stock enhancement can facilitate the
9 conservation and recovery of native sturgeon populations.

10 (d) Seek federal cooperation to implement the sturgeon
11 production management plan, including federal designation of
12 captive-bred sturgeon as distinct population segments to
13 distinguish cultivated stocks from wild native populations.

14 (e) Develop enforcement guidelines to ensure continued
15 protection of wild native sturgeon populations.

16 (f) In furtherance of the purposes and
17 responsibilities of the Sturgeon Production Working Group, the
18 state shall:

19 1. Establish a program to coordinate conservation and
20 aquaculture activities for native sturgeon.

21 2. Develop a conservation plan for native sturgeon.

22 3. Initiate the process to petition for delisting
23 captive-bred shortnose sturgeon.

24 4. Initiate the process to petition for delisting
25 captive-bred Gulf sturgeon.

26 (g) Establish a sturgeon broodstock committee composed
27 of fishery scientists, fish farmers, and agency
28 representatives to manage the taking of wild sturgeon for
29 brood fish and spawning.

30 (h) Establish the Cooperative Broodstock Development
31 and Husbandry Board composed of fishery scientists, fish

1 farmers, and agency representatives to establish standards and
2 criteria for the management and maintenance of captive-reared
3 sturgeon, to collect biological data, and to administer the
4 Cooperative Broodstock Development and Husbandry Program.

5 ~~2. Determine how sturgeon can be used for stock~~
6 ~~enhancement in areas designated by the Department of~~
7 ~~Environmental Protection in consultation with the Sturgeon~~
8 ~~Production Working Group.~~

9 ~~(b) Seek federal help and cooperation in obtaining the~~
10 ~~appropriate permits to establish the state sturgeon~~
11 ~~aquaculture program.~~

12 ~~(c) Prepare a state sturgeon production and stock~~
13 ~~enhancement plan to implement the state sturgeon aquaculture~~
14 ~~program. The plan shall include, but not be limited to, the~~
15 ~~following:~~

16 ~~1. Research needed to support the commercial~~
17 ~~production of sturgeon for meat and roe and stock enhancement~~
18 ~~in the state.~~

19 ~~2. Studies needed to determine the economic impact on~~
20 ~~the state and the best marketing strategies for producing~~
21 ~~sturgeon for its meat and roe.~~

22 ~~3. Permits and other requirements currently needed to~~
23 ~~commercially produce sturgeon and enhance sturgeon stock in~~
24 ~~the state and a strategy for obtaining such permits or~~
25 ~~requirements.~~

26 ~~4. The timetable for implementation and completion of~~
27 ~~the plan's components.~~

28 ~~5. The implementation date for the state sturgeon~~
29 ~~aquaculture program.~~

30 ~~(d) Prepare a report to be submitted within 1 year~~
31 ~~after October 1, 1996, to the Governor, the President of the~~

1 ~~Senate, the Speaker of the House of Representatives, and the~~
2 ~~chairs of the legislative ways and means, appropriations, and~~
3 ~~agriculture committees. This report shall include, but not be~~
4 ~~limited to:~~

5 1. ~~The status of the state sturgeon aquaculture~~
6 ~~program.~~

7 2. ~~The status of the state sturgeon production and~~
8 ~~stock enhancement plan.~~

9 3. ~~Other Florida public or private agencies, if any,~~
10 ~~doing research on sturgeon production.~~

11 4. ~~Any recommendations necessary to carry out the~~
12 ~~purpose of this section.~~

13 Section 7. Subsection (2) of section 372.0225, Florida
14 Statutes, 1998 Supplement, is amended to read:

15 372.0225 Freshwater organisms.--

16 (2) The responsibility with which the Division of
17 Freshwater Fisheries is charged under subsection (1) shall in
18 no way supersede or duplicate the responsibilities of the
19 Department of Agriculture and Consumer Services under chapter
20 500, the Florida Food Safety Act, chapter 597, the Florida
21 Aquaculture Policy Act, and the rules adopted thereunder ~~under~~
22 ~~that chapter.~~

23 Section 8. Paragraph (g) of subsection (1) of section
24 372.65, Florida Statutes, 1998 Supplement, is amended to read:

25 372.65 Freshwater fish dealer's license.--

26 (1) No person shall engage in the business of taking
27 for sale or selling any frogs or freshwater fish, including
28 live bait, of any species or size, or importing any exotic or
29 nonindigenous fish, until such person has obtained a license
30 and paid the fee therefor as set forth herein. The license
31 issued shall be in the possession of the person to whom issued

1 while such person is engaging in the business of taking for
2 sale or selling freshwater fish or frogs, is not transferable,
3 shall bear on its face in indelible ink the name of the person
4 to whom it is issued, and shall be affixed to a license
5 identification card issued by the commission. Such license is
6 not valid unless it bears the name of the person to whom it is
7 issued and is so affixed. The failure of such person to
8 exhibit such license to the commission or any of its wildlife
9 officers when such person is found engaging in such business
10 is a violation of law. The license fees and activities
11 permitted under particular licenses are as follows:

12 (g) Any individual or business issued an aquaculture
13 certificate, pursuant to s. 597.004, shall be exempt from the
14 requirements of this chapter with respect to aquaculture
15 products authorized under such certificate. ~~The commission is~~
16 ~~authorized to require that cultured game fish sold be tagged~~
17 ~~and to assess a fee of not more than 5 cents for each tag,~~
18 ~~which shall be furnished by the commission.~~

19 Section 9. Subsection (3) of section 581.145, Florida
20 Statutes, is amended to read:

21 581.145 Aquatic plant nursery registration; special
22 permit requirements.--

23 (3) Notwithstanding any other provision of state or
24 federal law, the Department of Agriculture and Consumer
25 Services shall issue, by request, a permit to the aquaculture
26 producer to engage in the business of exporting water
27 hyacinths (*Eichhornia* spp.) only to countries other than the
28 United States ~~Canada~~ and only when such water hyacinths are
29 cultivated in a nursery for the sole purpose of exportation
30 and the aquaculture activity has been certified by the
31 Department of Agriculture and Consumer Services. In

1 accordance with any appropriate federal law or United States
2 treaty, no Florida aquaculture producer shall ship water
3 hyacinths to countries other than the United States~~Canada~~
4 under such a permit for the purpose of importing water
5 hyacinths back into the United States, nor shall drop
6 shipments be made to any other destination within the United
7 States. This provision shall in no way restrict or interfere
8 with the Department of Environmental Protection's efforts, or
9 those of any other agency or local government with
10 responsibilities for the management of noxious aquatic plants,
11 to control or eradicate noxious nonnursery aquatic plants,
12 including water hyacinths. This provision shall not be a
13 consideration in the approval or the release of biological
14 control agents for water hyacinths or any other noxious
15 aquatic plants.

16 Section 10. Subsection (2) of section 597.0015,
17 Florida Statutes, is amended to read:

18 597.0015 Definitions.--For purposes of this chapter,
19 the following terms shall have the following meanings:

20 (2) "Aquaculture producers" means those persons
21 engaging in the production ~~and sale~~ of aquaculture products
22 and certified under s. 597.004.

23 Section 11. Paragraphs (b), (c), (d), and (h) of
24 subsection (2), subsection (4), paragraph (a) of subsection
25 (5), and subsection (6) of section 597.004, Florida Statutes,
26 1998 Supplement, are amended to read:

27 597.004 Aquaculture certificate of registration.--

28 (2) NONSHELLFISH CERTIFICATION.--

29 (b) The department, in consultation with the
30 Department of Environmental Protection, the water management
31

1 districts, environmental groups, and representatives from the
2 affected farming groups, shall adopt rules to:

3 1. Specify the requirement of best-management
4 practices to be implemented by holders of aquaculture
5 certificates of registration ~~property owners and leaseholders~~.

6 2. Establish procedures for holders of aquaculture
7 certificates of registration ~~property owners and leaseholders~~
8 to submit the notice of intent to comply with best-management
9 practices.

10 3. Establish schedules for implementation of
11 best-management practices, and of interim measures that can be
12 taken prior to adoption of best-management practices. Interim
13 measures may include the continuation of regulatory
14 requirements in effect on June 30, 1998.

15 4. Establish a system to assure the implementation of
16 best-management practices, including recordkeeping
17 requirements.

18 Rules adopted pursuant to this subsection shall become
19 effective pursuant to the applicable provisions of chapter
20 120, but must be submitted to the President of the Senate and
21 the Speaker of the House of Representatives for review by the
22 Legislature. The rules shall be referred to the appropriate
23 committees of substance and scheduled for review during the
24 first available regular session following adoption. Except as
25 otherwise provided by operation of law, such rules shall
26 remain in effect until rejected or modified by act of the
27 Legislature.

28 (c) Notwithstanding any provision of law, the
29 Department of Environmental Protection is not authorized to
30 institute proceedings against any person certified under this
31 section to recover any costs or damages associated with

1 contamination of groundwater or surface water, or the
2 evaluation, assessment, or remediation of contamination of
3 groundwater or surface water, including sampling, analysis,
4 and restoration of potable water supplies, where the
5 contamination of groundwater or surface water is determined to
6 be the result of aquaculture practices, provided the holder of
7 an aquaculture certificate of registration ~~property owner or~~
8 ~~leaseholder~~:

9 1. Provides the department with a notice of intent to
10 implement applicable best-management practices adopted by the
11 department;

12 2. Implements applicable best-management practices as
13 soon as practicable according to rules adopted by the
14 department; and

15 3. Implements practicable interim measures identified
16 and adopted by the department which can be implemented
17 immediately, or according to rules adopted by the department.

18 (d) There is a presumption of compliance with state
19 groundwater and surface water standards if the holder of an
20 aquaculture certificate of registration ~~property owner or~~
21 ~~leaseholder~~ implements best-management practices that have
22 been verified by the Department of Environmental Protection to
23 be effective at representative sites and complies with the
24 following:

25 1. Provides the department with a notice of intent to
26 implement applicable best-management practices adopted by the
27 department;

28 2. Implements applicable best-management practices as
29 soon as practicable according to rules adopted by the
30 department; and

31

1 3. Implements practicable interim measures identified
2 and adopted by the department which can be implemented
3 immediately, or according to rules adopted by the department.

4 (h) Any alligator producer with an alligator farming
5 license and permit to establish and operate an alligator farm
6 shall be issued an aquaculture certificate of registration
7 pursuant to subsection (1) above. This chapter does not
8 supersede the authority under chapter 372, chapter 373, or
9 chapter 403 to regulate alligator farms and alligator farmers.

10 (4) IDENTIFICATION OF AQUACULTURE
11 PRODUCTS.--Aquaculture products shall be identified while
12 possessed, processed, transported, or sold as provided in this
13 subsection, except those subject to the ~~requirements of~~
14 ~~chapter 372 and the rules of the~~ Fish and Wildlife
15 Conservation Game and Fresh Water Fish Commission as they
16 relate to alligators only.

17 (a) Aquaculture products shall be identified by an
18 aquaculture certificate of registration number from harvest to
19 point of sale. Any person who possesses aquaculture products
20 must show, by appropriate receipt, bill of sale, bill of
21 lading, or other such manifest where the product originated.

22 (b) Marine aquaculture products shall be transported
23 in containers that separate such product from wild stocks, and
24 shall be identified by tags or labels that are securely
25 attached and clearly displayed.

26 (c) Each aquaculture registrant who sells food
27 products labeled as "aquaculture or farm raised" must have
28 such products containerized and clearly labeled in accordance
29 with s. 500.11. Label information must include the name,
30 address, and aquaculture certification number. This

31

1 requirement is designed to segregate the identity of wild and
2 aquaculture products.

3 (5) SALE OF AQUACULTURE PRODUCTS.--

4 (a) Aquaculture products, except shellfish, snook, and
5 any fish of the genus Micropterus, and prohibited and
6 restricted freshwater and marine species identified by ~~snook,~~
7 ~~spotted sea trout, red drum, and freshwater aquatic species~~
8 ~~identified in chapter 372 and rules of the Fish and Wildlife~~
9 ~~Conservation Game and Fresh Water Fish~~ Commission, may be sold
10 by an aquaculture producer certified pursuant to s. 597.004
11 without restriction so long as product origin can be
12 identified.

13 (6) REGISTRATION AND RENEWALS.--

14 (a) Each aquaculture producer must apply for an
15 aquaculture certificate of registration with the department
16 and submit the appropriate fee. Upon department approval, the
17 department shall issue the applicant an aquaculture
18 certificate of registration for a period not to exceed ~~of~~ 1
19 year. Beginning July 1, 1997, and each year thereafter, each
20 aquaculture certificate of registration must be renewed with
21 fee, pursuant to this chapter, on July 1.

22 (b) The department shall send notices of registration
23 to all aquaculture producers of record requiring them to
24 register for an aquaculture certificate. Renewal notices shall
25 be sent to the registrant 60 days preceding the termination
26 date of the certificate of registration. Prior to the
27 termination date, the registrant must return a completed
28 renewal form with fee, pursuant to this chapter, to the
29 department.

30
31

1 (c) Any person whose certificate of registration has
2 been revoked or suspended must reapply to the department for
3 certification.

4 Section 12. Subsection (3) of section 597.0041,
5 Florida Statutes, is amended to read:

6 597.0041 Prohibited acts; penalties.--

7 (3) Any person certified under this chapter who has
8 been convicted of taking aquaculture species raised at a
9 certified facility shall have his or her certificate ~~license~~
10 revoked for 5 years by the Department of Agriculture and
11 Consumer Services pursuant to the provisions and procedures of
12 s. 120.60.

13 Section 13. Section 597.0045, Florida Statutes, is
14 created to read:

15 597.0045 Cultured shellfish theft reward
16 program.--There is created a cultured shellfish theft reward
17 program, to be administered by the department, for the purpose
18 of granting rewards to persons who provide information leading
19 to the arrest and conviction of individuals illegally
20 possessing, harvesting, or attempting to harvest cultured
21 shellfish.

22 (1) Each person who provides information leading to
23 the arrest and conviction of an individual or individuals for
24 illegally possessing, harvesting, or attempting to harvest
25 cultured shellfish and for whom the respective state attorney
26 notifies the department of such assistance, in writing, shall
27 be eligible for a reward of up to \$2,500; except that law
28 enforcement officers and department personnel, and members of
29 their immediate families, shall not be eligible for rewards
30 under the program. The department shall, by rule, establish a
31 graduated reward payout schedule.

1 (2) The General Inspection Trust Fund of the
2 department may be used for the cultured shellfish theft reward
3 program, for deposit of general revenue funds and donations
4 received from interested individuals, and for granting rewards
5 to persons who provide information leading to the arrest and
6 conviction of persons illegally possessing, harvesting, or
7 attempting to harvest cultured shellfish. The granting of
8 rewards shall be subject to legislative appropriations to fund
9 the program.

10 (3) The department may promote the cultured shellfish
11 theft reward program to provide for public recognition of the
12 rewards and to improve compliance with laws prohibiting
13 illegal possession and harvesting of cultured shellfish.

14 Section 14. If any provision of this act or the
15 application thereof to any person or circumstances is held
16 invalid, the invalidity does not affect other provisions or
17 applications of the act which can be given effect without the
18 invalid provision or application, and to this end the
19 provisions of this act are declared severable.

20 Section 15. Notwithstanding any other legislation
21 passed and either signed by the Governor or allowed to become
22 law without signature to the contrary, the Legislature intends
23 that this bill be its full and total intent, regardless of
24 when it is presented to the Secretary of State.

25 Section 16. This act shall take effect July 1, 1999.
26
27
28
29
30
31