

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/CS/SB 240

SPONSOR: Fiscal Resource Committee, Natural Resources Committee and Senator Bronson

SUBJECT: Stone Crabs

DATE: April 13, 2000 REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Gee</u>	<u>Voigt</u>	<u>NR</u>	<u>Favorable/CS</u>
2.	<u></u>	<u>Hadi</u>	<u>FP</u>	<u>Withdrawn</u>
3.	<u>Keating</u>	<u>Wood</u>	<u>FR</u>	<u>Favorable/CS</u>
4.	<u></u>	<u></u>	<u></u>	<u></u>
5.	<u></u>	<u></u>	<u></u>	<u></u>

## I. Summary:

This bill provides penalties for buying saltwater products from unlicensed persons and for selling saltwater products by unlicensed persons. The bill also provides a fee for a stone crab endorsement on a saltwater products license (SPL), authorizes equitable rent, provides penalties for theft from a trap, deletes a credit against a SPL, prohibits renewal or reissuance of licenses and endorsements unless fines and fees are paid, and waives crawfish trap certificate fees for certain transfers within one's immediate family. Also, the bill provides a waiver from trap retrieval fees for specified persons, deletes a requirement for noncommercial net registration, revises provisions governing the artificial reef program, and provides appropriations.

This bill substantially amends ss. 370.021, 370.06, 370.13, 370.135, 370.14, 370.142, 370.143, 370.15, 370.153, and 370.25 of the Florida Statutes.

## II. Present Situation:

The Fish and Wildlife Conservation Commission (FWCC) reports that during the past 10 years the stone crab fishery has experienced rapid growth. This has led to increased congestion, competition, and conflict on the water. Overfishing and poaching have resulted in a decrease in stock populations and a declining yield per trap. The proliferation of stone crab traps damage grass beds, coral formations, and live rock bottoms. There is increasing public concern over debris pollution from damaged, lost, or abandoned traps.

There were 4,442 commercial harvesters who obtained stone crab endorsements during the 1998-1999 fiscal year. They used approximately 1,200,000 lawfully permitted commercial stone crab traps in the fishery in both state and adjacent federal waters. This number of traps, however, is only an estimate; the actual number of stone crab traps used commercially is unknown. The number of recreational stone crab traps used in the fishery is not known and no estimate of the number used is available. Although a moratorium on new stone crab endorsements was implemented by the Legislature in 1995, control over the number of stone crab traps that are

being used in the fishery has not been possible. Stabilization of the number of stone crab traps is necessary to improve overall catch levels.

The geographic range of the stone crab fishery stretches from Palm Beach County on the Atlantic coast through the Florida Keys and continues north along the Gulf of Mexico into the Big Bend region. It extends seaward in the Gulf of Mexico to depths of about 100 feet. Approximately 50 percent of the fishing grounds for this species occur in federal waters. The most prolific components of the fishery, both commercial and recreational, are in Broward, Dade, Monroe, and Collier Counties and in both Atlantic and Gulf waters. This fishery landed approximately \$21.5 million of product during the 1995/96 fishing year.

The FWCC reports that its personnel and equipment resources presently available are insufficient to adequately enforce existing fisheries laws. This lack of available law enforcement resources to maintain a presence at sea is known to the individuals who are engaged in stone crab violations. The ratio of harvesters to enforcement personnel is so overwhelming that only a minute fraction of trips in adjacent federal waters result in a boarding. Poaching and theft are rampant. Theft of fishing gear and product includes, but is not limited to, organized trap robbing rings (day and night) in both state and federal waters.

The market for stone crabs and other marine species is substantial and consequently lucrative for poachers. This creates an extensive, year-round, black market for sales of undersized or out of season product, and for product taken by trap molestation. The contraband catch is then sold to wholesale dealers, restaurants, and private individuals. Many of these transactions are suspected of being conducted without proper licenses.

Although the stone crab has been designated a restricted species, there is currently no license fee to harvest stone crabs. However, one must obtain a saltwater products license (SPL) and obtain the stone crab endorsement on it to harvest stone crabs commercially.

In February 2000, the FWCC adopted rules relating to stone crabs, including the establishment of a stone crab trap limitation program. The FWCC's constitutional authority over marine life does not extend to the establishment of fees or penalties, which must be prescribed by the Legislature.

Section 370.021, F.S., provides a number of penalties for the violation of marine fisheries laws and rules. The FWCC is seeking escalating civil penalties and license suspensions for violations involving the purchase of saltwater products by a wholesale or retail saltwater products dealer or restaurant from an unlicensed person or sale of such products by an unlicensed individual, firm, or corporation to a wholesale or retail dealer or restaurant. The FWCC also has proposed a major violation for the illegal harvest or possession of marine life species.

Section 370.06, F.S., currently provides a credit toward a SPL of the amount of the Apalachicola Bay oyster harvesting license. The fee for an SPL issued to a Florida resident is \$50 or \$100 for a SPL issued to a vessel. The fee for the Apalachicola Bay oyster harvesting license is \$100 for a Florida resident. This section currently does not specifically require that the FWCC deny the renewal or issuance of any SPL, wholesale dealer license or retail dealer license to anyone that has unpaid fees, civil assessments or fines owed to the FWCC.

Blue crabs are regulated pursuant to s. 370.135, F.S. This section does not currently prohibit theft from a trap, although it does prohibit the molestation of traps.

Section 370.142, F.S., provides for the spiny lobster trap certificate program, including a number of escalating penalties for violation of the program. Among other things, the program requires payment of a \$2 per certificate transfer fee by the purchaser of certificates. This statute also authorizes the FWCC to establish by rule an amount of equitable rent per trap certificate that is to be recovered as partial compensation to the state for the enhanced access to its natural resources. Such a rule has yet to be developed.

Pursuant to s. 370.143, F.S., lobster and stone crab traps left in the water after the season has closed may be retrieved by the FWCC or its contractor. A fee of \$10 per trap retrieved is assessed on the trap owner. Retrieval fees must be paid prior to renewal of the owner's trap number. In the event of a major natural disaster, trap retrieval fees are waived.

Section 370.15, F.S., regulates the shrimp fishery. The FWCC supports repeal of the existing requirement that noncommercial nets be registered; since gill nets are no longer legal, the requirement serves little, or no, purpose.

Section 370.153, F.S., regulates the shrimp fishery on the St. Johns River. This statute limits the number of permits for commercial trawling or dead shrimp production to the number issued in 1976. Although this section permits noncommercial trawling under a permit from the FWCC, the FWCC does not have a rule permitting the practice.

Florida's artificial reef program is administered under s.370.25, F.S. It provides criteria for grants to nonprofit organizations, specifies allowable materials, locations, and methods and provides penalties. The FWCC reports that "corporation," not "nonprofit organization," is a more appropriate term for use in this section, that the reefs may be used for other purposes than fishing (such as by divers or for fisheries management), and that it wishes to adopt rules governing some program activities under its constitutional powers.

### **III. Effect of Proposed Changes:**

Section 1. Section 370.021, F.S., is amended to provide that, in addition to being subject to other penalties provided in ch. 370, F.S., any violation of s. 370.06, F.S., or s. 370.07, F.S., or rules of the FWCC implementing those sections involving buying saltwater products from an unlicensed person, firm, or corporation by a commercial wholesale dealer, retail dealer, or restaurant facility for public consumption, or selling saltwater products by an unlicensed person, firm, or corporation.

This section also provides an additional penalty of \$10 for each pound of illegal shrimp harvested for any two violations within a 12 month period which involve gear, minimum size, or season. Major violation penalties are also revised to permit suspension or revocation of any license for up to 30 calendar days for a first conviction and up to 90 days for a second conviction within 12 months of a prior violation.

Finally, a new major violation is provided for a violation involving the taking or harvesting of any marine life species (as those species are defined by rule of the FWCC, the harvest of which is prohibited, or the taking or harvest of such a species out of season, or with an illegal gear or chemical, or any violation involving the possession of 25 or more individual specimens of marine life species, or any combination of violations in any 3-year period involving more than 70 such specimens in the aggregate. The penalty is suspension or revocation of the license holder's marine life endorsement as provided in s. 370.021(2)(i), F.S.

Section 2. Section 370.06(8), F.S., is amended to authorize the FWCC to accept payment by credit card for fees, fines, and civil penalties levied pursuant to s. 370.06. Subsection (9) is added to authorize the FWCC to deny the renewal or issuance of any saltwater products license, wholesale dealer license, or retail dealer license to anyone that has unpaid fees, civil assessments, or fines owed to the FWCC.

Section 3. Section 370.13, F.S., relating to the stone crab fishery, is substantially reworded. This section now establishes a fee for a stone crab endorsement for the taking of stone crabs as required by rule of the FWCC at \$125, \$25 of which shall be used solely for trap retrieval pursuant to s. 370.143, F.S.

For all trap certificates issued by the FWCC pursuant to the requirements of the stone crab trap limitation program established by FWCC rule, there is an annual fee of \$.50 per certificate. Replacement tags for lost or damaged tags cost \$.50 each, except that tags lost because of a major natural disaster declared as an emergency disaster by the governor will be replaced for the cost of the tag as incurred by the commission.

Except for transfers to eligible crew members as determined according to criteria established by rule of the FWCC, the fee for transferring certificates is \$2 per certificate transferred to be paid by the purchaser of the certificate or certificates. The transfer fee for eligible crew members is \$1 per certificate. Payment must be made by money order or cashier's check, submitted with the certificate transfer form developed by the FWCC. In addition to the transfer fee, a surcharge of \$2 per certificate transferred, or 25 percent of the actual value of the transferred certificate, whichever is greater, must be assessed the first time a certificate is transferred outside the original holder's immediate family. Transfer fees and surcharges only apply to the actual number of certificates received by the purchaser. No transfer of a certificate will be effective until the FWCC receives a notarized copy of the bill of sale as proof of the actual value of the transferred certificate or certificates, which must also be submitted with the transfer form and payment. A transfer fee will not be assessed or required when the transfer is within a family as a result of the death or disability of the certificate owner. No surcharge will be assessed for any transfer within an individual's immediate family.

The cost of an incidental take endorsement, as established by FWCC rule, is \$25.

The FWCC is authorized to establish by rule an amount of equitable rent per trap certificate that will be recovered as partial compensation to the state for the enhanced access to its natural resources. In determining whether to establish such a rent and the amount thereof, the FWCC may consider the amount of revenues annually generated by endorsement fees, trap certificate fees, transfer fees, surcharges, replacement trap tag fees, trap retrieval fees, incidental take

endorsement fees, and the continued economic viability of the commercial stone crab industry. Final approval of such a rule must be by the Board of Trustees of the Internal Improvement Trust Fund (Trustees).

This section also provides that the stone crab trap limitation program does not create any vested rights for endorsement or certificate holders whatsoever and may be altered or terminated by the commission as necessary to protect the stone crab resource, the participants in the fishery, or the public interest.

Endorsement fees, trap certificate fees, transfer fees, civil penalties and fines, surcharges, replacement trap tag fees, trap retrieval fees, incidental take endorsement fees, and equitable rent (if any), will be deposited into the Marine Resources Conservation Trust Fund. Not more than 50 percent of the revenues generated pursuant to s. 370.13, F.S., may be used for operation and administration of the stone crab trap limitation program. The remaining revenues are to be used for trap retrieval, management of the stone crab fishery, public education activities, evaluation of the impact of trap reductions on the stone crab fishery, and enforcement activities in support of the stone crab trap limitation program.

The stone crab trap limitation program is intended to be a self-supporting program funded from proceeds generated pursuant to s. 370.13, F.S.

The bill provides that, for purposes of s. 370.13(2), F.S., relating to penalties, conviction is any disposition other than acquittal or dismissal, regardless of whether the violation was adjudicated under any state or federal law.

In addition to any other penalties provided in s. 370.021, F.S., for any person, firm or corporation convicted of violating Rule 68B-13.010(2), F.A.C., or Rule 68B-13.011(5), (6), (7), or (8), F.A.C., the following administrative penalties shall apply:

- For a first violation, the FWCC will assess an administrative penalty of up to \$1,000 and the stone crab endorsement under which the violation was committed may be suspended for the remainder of the current license year.
- For a second violation that occurs within 24 months of any previous such violation, the FWCC will assess an administrative penalty of up to \$2,000 and the stone crab endorsement under which the violation was committed may be suspended for 12 calendar months.
- For a third violation that occurs within 36 months of any previous two such violations, the FWCC will assess an administrative penalty of up to \$5,000 and the stone crab endorsement under which the violation was committed may be suspended for 24 calendar months.
- A fourth violation that occurs within 48 months of any three previous such violations, will result in permanent revocation of all of the violator's saltwater fishing privileges, including having the FWCC proceed against the endorsement holder's saltwater products license in accordance with the provisions of s. 370.021, F.S.

Any person assessed such an administrative penalty must, within 30 calendar days after notification, pay the administrative penalty to the FWCC, or request an administrative hearing pursuant to the provisions of ss. 120.569, F.S., and 120.57, F.S. The proceeds of all such administrative penalties collected will be deposited into the Marine Resource Conservation Trust Fund.

The bill provides that it is unlawful for any person to remove the contents of another harvester's trap without the express written consent of the trap owner available for immediate inspection. Such unauthorized removal constitutes theft. Any person convicted of theft from a trap shall, in addition to the penalties specified in s. 370.021, F.S., and ch. 370.13, , F.S., permanently lose his or her SPL, stone crab or incidental take endorsement, and all trap certificates allocated to him or her by the FWCC. In such cases, trap certificates and endorsements are nontransferable. In addition, any person, firm or corporation convicted of theft from a trap will also be assessed an administrative penalty of up to \$5,000. Immediately prior to and during the period of suspension or revocation of the endorsement, that person, firm or corporation is prohibited from transferring any stone crab certificates.

Any person, firm or corporation convicted of violating FWCC rules that prohibit any of the following, commits a felony of the third degree, punishable as provided in ss. 775.082, 775.083, or 775.084, F.S.:

- The willful molestation of any stone crab trap, line or buoy that is the property of any license holder, without the permission of that license holder.
- The bartering, trading, or sale, or conspiring or aiding in such barter, trade or sale, or supplying, agreeing to supply, aiding in supplying, or giving away stone crab trap tags or certificates unless such action is duly authorized by the FWCC as provided by FWCC rules.
- The making, altering, forging, counterfeiting, or reproducing of stone crab trap tags.
- Possession of forged, counterfeit, or imitation stone crab trap tags.
- Engaging in the commercial harvest of stone crabs during such time as either of such endorsements are under suspension or revocation.

In addition, any person, firm or corporation convicted of the unpermitted willful molestation of any stone crab trap, line or buoy that is the property of a license holder will also be assessed an administrative penalty of up to \$5,000 and the incidental take endorsement or the stone crab endorsement under which the violation was committed may be suspended for up to 24 calendar months. Immediately upon receiving a citation involving a violation of this paragraph and until adjudicated for such a violation, or if convicted of such a violation, the person, firm, or corporation committing the violation is prohibited from transferring any stone crab certificates or endorsements.

For any person, firm or corporation convicted of fraudulently reporting the actual value of transferred stone crab certificates, the FWCC may automatically suspend or permanently revoke the seller's and, or, the purchaser's stone crab endorsements. If the endorsement is permanently

revoked, the FWCC will also permanently deactivate the endorsement holder's stone crab certificate accounts. Whether an endorsement is suspended or revoked, the FWCC may also levy a fine against the holder of the endorsement of up to twice the appropriate surcharge to be paid based on the fair market value of the transferred certificates.

During any period of suspension or revocation of an endorsement holder's endorsement, he or she shall remove all traps subject to that endorsement from the water within 15 days of notice provided by the FWCC. Failure to do so will extend the period of suspension or revocation for an additional 6 calendar months.

No endorsement will be renewed until all fees and administrative penalties imposed pursuant to s. 370.13, F.S., are paid.

The FWCC shall issue a depredation endorsement on the saltwater produces license, which shall entitle the license holder to possess and use up to 75 stone crab traps and up to 75 blue crab traps, notwithstanding any other provisions of law, for the incidental take of destructive or nuisance stone crabs or blue crabs within 1 mile of aquaculture shellfish beds. Any marine aquaculture producer who raises shellfish may obtain a depredation endorsement by providing an aquaculture registration certificate to the FWCC. No stone crabs or blue crabs taken under a depredation endorsement may be sold or offered for sale.

Section 4. Section 370.135, F.S., is amended to provide that it is unlawful for any person to remove the contents of another blue crab harvester's trap without the express written consent of the trap owner available for immediate inspection. Such unauthorized removal constitutes theft. Any person convicted of theft from a trap shall, in addition to the penalties specified in s. 370.021, F.S., and the provisions of s. 370.135(1), F.S., permanently lose his or her saltwater fishing privileges including his or her saltwater products license and blue crab endorsement. In those cases endorsements are nontransferable.

Section 5. Section 370.14, F.S., is amended to correct a cross-reference.

Section 6. Section 370.142, F.S., is amended to require that, if a rule establishing equitable rent for the crawfish fishery is developed, it must be approved by the Trustees. Also, a surcharge will not be assessed for a certificate transfer within an individual's immediate family.

This section also revises penalties to provide that it is unlawful for any person to remove the contents of another crawfish harvester's trap without the express written consent of the trap owner available for immediate inspection. Such unauthorized removal constitutes theft. Any person convicted of theft from a trap shall, in addition to the penalties specified in ss. 370.021, F.S., and 370.14, F.S., and the provisions of s. 370.142, F.S., permanently lose his or her saltwater fishing privileges including his or her saltwater products license, crawfish endorsement, and all trap certificates allotted to him or her through this program. In such cases, trap certificates and endorsements are nontransferable. In addition, any person, firm, or corporation convicted of violating this paragraph shall also be assessed an administrative penalty of up to \$5,000, and the incidental take endorsement and/or the crawfish endorsement under which the violation was committed may be suspended for up to 24 calendar months. Immediately upon receiving a citation for a violation involving theft from a trap and until adjudicated for such a violation or, if convicted

of such a violation, the person, firm, or corporation committing the violation is prohibited from transferring any crawfish trap certificates and endorsements.

Section 7. Section 370.143, F.S., is amended to waive trap retrieval fees for the first five traps retrieved for those holding a stone crab trap endorsement. This section also requires payment of all assessed retrieval fees prior to renewal of the trap owner's SPL and stone crab and or crawfish endorsements and requires the Governor to have declared an emergency disaster before the FWCC can waive trap retrieval fees within the declared disaster area.

Section 8. Section 370.15, F.S., is amended to delete requirements for noncommercial net registration as well as a shrimp bag limit for noncommercial harvesting.

Section 9. Section 370.153, F.S., is amended to limit the number of permits issued by the FWCC for commercial trawling or dead shrimp production in the St. John's River in any one year to those active in the base year, 1976, and renewed annually since 1976 and to clarify that all permits for dead shrimp production issued pursuant to s. 370.153, F.S., are inheritable or transferable to an immediate family member and annually renewable by the holder. This section also clarifies that noncommercial trawling in the St. Johns River may only be authorized by rule of the FWCC.

Section 10. Section 370.25, F.S., relating to the artificial reef program is substantially reworded. The bill revises the artificial reef program. The amendments delete a reference to an artificial fishing reef program and redescribe the program as one to enhance saltwater recreational opportunities. The amendments clarify that the program is administered by the FWCC and that recipients of grants and financial and technical assistance will be nonprofit corporations, rather than organizations. In addition, criteria for such assistance are deleted, as the FWCC will establish criteria by rule. The section requires that all artificial reefs constructed in state or adjacent federal waters be highly stable and durable, and may be constructed only of concrete, natural rock, prefabricated modules made primarily of concrete or natural rock, or vessels made primarily of ferrous metals. No material shall be permitted to be used as an artificial reef under conditions where 50-year return interval storm events in the geographic area of the state where the artificial reef is to be constructed could be expected to cause the underwater lateral movement of the material off the permitted reef site, or cause substantial structural failure of the material. To receive assistance, a nonprofit corporation must state in its articles of incorporation or bylaws that one of its objectives is the development or monitoring of saltwater artificial reefs. This section requires that any entity constructing an artificial reef in state or adjacent federal waters must submit documentation to the FWCC of the reef's materials, water depth, vertical relief, and location, within 30 days following construction. The location of the artificial reef must be documented with a differential global positioning receiver system.

The amendments clarify the sources of necessary permits and provide that it is unlawful to store, possess, or transport on or across state waters any materials reasonably suited for artificial reef construction and stored in a manner providing ready access for use and placement as an artificial reef, unless a valid cargo manifest issued by the FWCC or a FWCC-certified inspector is onboard the transporting vessel. The manifest will serve as authorization to use a valid permitted site or land-based staging area, will validate that the type of artificial reef construction material being transported is permissible for use at the permitted site, and will describe and quantify the artificial reef material being transported. The manifest will also include the latitude and longitude



coordinates of the proposed deployment location, the valid permit number, and a copy of the permit conditions for the permitted site. The manifest must be available for inspection by any authorized law enforcement officer or FWCC employee.

The bill corrects a cross-reference and provides that failure or refusal to comply with an order to return to port when a violation has occurred constitutes a felony of the third degree, punishable as provided in s. 775.082, F.S., s. 775.083, F.S., or s. 775.084, F.S.

Finally, the section provides that, if, at the time of the violation, the vessel that is involved in the violation is moored at a land-based facility, the registered owner of the vessel is responsible for the violation. However, if the vessel is underway or anchored, the captain or operator of the vessel is responsible for the violation.

Section 11. This section provides the following appropriations and positions:

- The sum of \$97,049 is appropriated from the commercial saltwater license fee revenues in the Marine Resources Conservation Trust Fund to the FWCC for fiscal year 2000-2001, for four career service positions that are authorized for the FWCC to implement the stone crab trap limitation program.
- The sum of \$254,408 is appropriated from the commercial saltwater license fee revenues in the Marine Resources Conservation Trust Fund to the FWCC for program operation, plus the sum of \$130,000 to cover the cost of stone crab trap tags in fiscal year 2000-2001, in order to implement the stone crab trap limitation program in fiscal year 2001-2002.

Section 12. The act takes effect July 1, 2000.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

None.

##### **B. Public Records/Open Meetings Issues:**

None.

##### **C. Trust Funds Restrictions:**

None.

**V. Economic Impact and Fiscal Note:**

**A. Tax/Fee Issues:**

The Marine Fisheries Commission estimates that 1.2 million stone crab trap certificates will initially be issued, which, combined with the 150,000 that can be allotted by the appeals boards, will produce first year revenues of \$675,000. Assuming 1650 endorsements are issued, first year revenue from this source is estimated to be \$206,250. This amount would decline as certificates are reduced. It is estimated that 2000 current endorsement holders would purchase the incidental take endorsements, producing \$50,000 annually. Further revenues would be realized by surcharges, but this amount is speculative. Thus, total first year revenues can be roughly estimated at \$931,250, if all their certificates are issued by the appeals boards.

The total revenue from the sale and transfer of certificates is indeterminate at this time. Since the trap reduction percentages are based on the amount of certificates in the market at any given time, fair market value for the sale of certificates will vary also.

It is estimated that revenues from stone crab endorsements and trap tags will decrease by a little less than half over time. This is because industry estimates that the number of individuals holding stone crab endorsements will decrease to approximately 1,000 within five years. In addition, trap numbers will eventually decrease to the 600,000 target level.

There will likely be increased revenues from fines, although the amounts cannot be determined at this time.

The Marine Resources Conservation Trust Fund is subject to the 7.3 percent General Revenue service charge pursuant to s. 215.20, F.S.

Issue/Fund	General Revenue		Trust		Local		Total	
	1st Year \$	Recurring \$	1st Year \$	Recurring \$	1st Year \$	Recurring \$	1st Year \$	Recurring \$
Stone Crab Trap Cert. & Endorcements	0.1	*	0.8	0.5	0.0	0.0	0.9	0.5

- \* Insignificant
- \*\* Indeterminate

**B. Private Sector Impact:**

The following fees will be paid by stone crab harvesters:

- Endorsement fee - \$125.
- Certificate transfer fee - \$2 per certificate.

- Transfer surcharge - \$2 or 25 percent of market price, whichever is greater, although transfers to eligible crew members will cost \$1.
- Certificate fee - 50 cents per certificate.
- Trap tag - 50 cents per replacement tag.

Persons purchasing an Apalachicola Bay oyster harvesting license will no longer receive a credit of at least \$100 toward the SPL fee.

The bill creates a number of violations, for which substantial civil penalties and fines can be assessed.

Holders of stone crab endorsements will not have to pay the \$10 trap retrieval fee for the first five traps retrieved.

Because a number of harvesters fish thousands of stone crab traps, this bill will significantly impact many persons in the fishery. Because all fishers may not qualify for certificates, it is possible that some will be forced out of the fishery, although certificates for such persons may be available through appeals boards. On the other hand, reducing the number of traps in the water should benefit the resource, and harvesters, over time.

#### C. Government Sector Impact:

The FWCC estimates their first year administrative costs for the stone crab program to be approximately \$486,000, with recurring costs estimated at \$423,000.

The bill appropriates \$481,457 from the commercial saltwater license fee revenues in the Marine Resources Conservation Trust Fund and authorizes four positions for the stone crab trap limitation program

#### VI. Technical Deficiencies:

None.

#### VII. Related Issues:

None.

#### VIII. Amendments:

None.