

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

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

11 Representative(s) Greenstein, Henriquez, Heyman, and Rich
12 offered the following:

14 **Amendment (with title amendment)**

15 Remove everything after the enacting clause

17 and insert:

18 Section 1. Subsection (2) of section 370.12, Florida
19 Statutes, is amended to read:

20 370.12 Marine animals; regulation.--

21 (2) PROTECTION OF MANATEES OR SEA COWS.--

22 (a) This subsection shall be known and may be cited as
23 the "Florida Manatee Sanctuary Act."

24 (b) The State of Florida is hereby declared to be a
25 refuge and sanctuary for the manatee, the "Florida state
26 marine mammal." The protections extended to and authorized on
27 behalf of the manatee by this act are independent of, and
28 therefore are not contingent upon, its status as a state or
29 federal listed species.

30 (c) Whenever the Fish and Wildlife Conservation
31 Commission is satisfied that the interest of science will be

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1 subserved, and that the application for a permit to possess a
2 manatee or sea cow (*Trichechus manatus*) is for a scientific or
3 propagational purpose and should be granted, and after
4 concurrence by the United States Department of the Interior,
5 the commission may grant to any person making such application
6 a special permit to possess a manatee or sea cow, which permit
7 shall specify the exact number which shall be maintained in
8 captivity.

9 (d) Except as may be authorized by the terms of a
10 valid state permit issued pursuant to paragraph (c) or by the
11 terms of a valid federal permit, it is unlawful for any person
12 at any time, by any means, or in any manner intentionally or
13 negligently to annoy, molest, harass, or disturb or attempt to
14 molest, harass, or disturb any manatee; injure or harm or
15 attempt to injure or harm any manatee; capture or collect or
16 attempt to capture or collect any manatee; pursue, hunt,
17 wound, or kill or attempt to pursue, hunt, wound, or kill any
18 manatee; or possess, literally or constructively, any manatee
19 or any part of any manatee.

20 (e) Any gun, net, trap, spear, harpoon, boat of any
21 kind, aircraft, automobile of any kind, other motorized
22 vehicle, chemical, explosive, electrical equipment, scuba or
23 other subaquatic gear, or other instrument, device, or
24 apparatus of any kind or description used in violation of any
25 provision of paragraph (d) may be forfeited upon conviction.
26 The foregoing provisions relating to seizure and forfeiture of
27 vehicles, vessels, equipment, or supplies do not apply when
28 such vehicles, vessels, equipment, or supplies are owned by,
29 or titled in the name of, innocent parties; and such
30 provisions shall not vitiate any valid lien, retain title
31 contract, or chattel mortgage on such vehicles, vessels,

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1 equipment, or supplies if such lien, retain title contract, or
2 chattel mortgage is property of public record at the time of
3 the seizure.

4 (f)1. Except for emergency rules adopted under s.
5 120.54, all proposed rules of the commission for which a
6 notice of intended agency action is filed proposing to govern
7 the speed and operation of motorboats for purposes of manatee
8 protection shall be submitted to the counties in which the
9 proposed rules will take effect for review by local rule
10 review committees.

11 2. No less than 60 days prior to filing a notice of
12 rule development in the Florida Administrative Weekly, as
13 provided in s. 120.54(3)(a), the commission shall notify the
14 counties for which a rule to regulate the speed and operation
15 of motorboats for the protection of manatees is proposed. A
16 county so notified shall establish a rule review committee or
17 several counties may combine rule review committees.

18 3. The county commission of each county in which a
19 rule to regulate the speed and operation of motorboats for the
20 protection of manatees is proposed shall designate a rule
21 review committee. The designated voting membership of the
22 rule review committee must be comprised of waterway users,
23 such as fishers, boaters, water skiers, other waterway users,
24 as compared to the number of manatee and other environmental
25 advocates. A county commission may designate an existing
26 advisory group as the rule review committee. With regard to
27 each committee, fifty percent of the voting members shall be
28 manatee advocates and other environmental advocates, and fifty
29 percent of the voting members shall be waterway users.

30 4. The county shall invite other state, federal,
31 county, municipal, or local agency representatives to

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1 participate as nonvoting members of the local rule review
2 committee.

3 5. The county shall provide logistical and
4 administrative staff support to the local rule review
5 committee and may request technical assistance from commission
6 staff.

7 6. Each local rule review committee shall elect a
8 chair and recording secretary from among its voting members.

9 7. Commission staff shall submit the proposed rule and
10 supporting data used to develop the rule to the local rule
11 review committees.

12 8. The local rule review committees shall have 60 days
13 from the date of receipt of the proposed rule to submit a
14 written report to commission members and staff. The local rule
15 review committees may use supporting data supplied by the
16 commission, as well as public testimony which may be collected
17 by the committee, to develop the written report. The report
18 may contain recommended changes to proposed manatee protection
19 zones or speed zones, including a recommendation that no rule
20 be adopted, if that is the decision of the committee.

21 9. Prior to filing a notice of proposed rulemaking in
22 the Florida Administrative Weekly as provided in s.
23 120.54(3)(a), the commission staff shall provide a written
24 response to the local rule review committee reports to the
25 appropriate counties, to the commission members, and to the
26 public upon request.

27 10. In conducting a review of the proposed manatee
28 protection rule, the local rule review committees may address
29 such factors as whether the best available scientific
30 information supports the proposed rule, whether seasonal zones
31 are warranted, and such other factors as may be necessary to

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1 balance manatee protection and public access to and use of the
2 waters being regulated under the proposed rule.

3 11. The written reports submitted by the local rule
4 review committees shall contain a majority opinion. If the
5 majority opinion is not unanimous, a minority opinion shall
6 also be included.

7 12. The members of the commission shall fully consider
8 any timely submitted written report submitted by a local rule
9 review committee prior to authorizing commission staff to move
10 forward with proposed rulemaking and shall fully consider any
11 timely submitted subsequent reports of the committee prior to
12 adoption of a final rule. The written reports of the local
13 rule review committees and the written responses of the
14 commission staff shall be part of the rulemaking record and
15 may be submitted as evidence regarding the committee's
16 recommendations in any proceeding relating to a rule proposed
17 or adopted pursuant to this subsection.

18 13. The commission is relieved of any obligations
19 regarding the local rule review committee process created in
20 this paragraph if a timely noticed county commission fails to
21 timely designate the required rule review committee.

22 (g)(f) In order to protect manatees or sea cows from
23 harmful collisions with motorboats or from harassment, the
24 Fish and Wildlife Conservation Commission is authorized, in
25 addition to all other authority, to provide a permitting
26 agency with comments shall adopt rules under chapter 120
27 regarding the expansion of existing, or the construction of
28 new, marine facilities and mooring or docking slips, by the
29 addition or construction of five or more powerboat slips. The
30 commission shall adopt rules under chapter 120, and regulating
31 the operation and speed of motorboat traffic, only where

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1 manatee sightings are frequent and the best available
2 scientific information, as well as other available, relevant,
3 and reliable information, which may include but is not limited
4 to, manatee surveys, observations, available studies of food
5 sources, and water depths, supports the conclusions that
6 manatees it can be generally assumed, based on available
7 ~~scientific information, that they~~ inhabit these areas on a
8 regular ~~or continuous~~ basis:

9 1. In Lee County: the entire Orange River, including
10 the Tice Florida Power and Light Corporation discharge canal
11 and adjoining waters of the Caloosahatchee River within 1 mile
12 of the confluence of the Orange and Caloosahatchee Rivers.

13 2. In Brevard County: those portions of the Indian
14 River within three-fourths of a mile of the Orlando Utilities
15 Commission Delespine power plant effluent and the Florida
16 Power and Light Frontenac power plant effluents.

17 3. In Indian River County: the discharge canals of the
18 Vero Beach Municipal Power Plant and connecting waters within
19 1 1/4 miles thereof.

20 4. In St. Lucie County: the discharge of the Henry D.
21 King Municipal Electric Station and connecting waters within 1
22 mile thereof.

23 5. In Palm Beach County: the discharges of the Florida
24 Power and Light Riviera Beach power plant and connecting
25 waters within 1 1/2 miles thereof.

26 6. In Broward County: the discharge canal of the
27 Florida Power and Light Port Everglades power plant and
28 connecting waters within 1 1/2 miles thereof and the
29 discharge canal of the Florida Power and Light Fort Lauderdale
30 power plant and connecting waters within 2 miles thereof. For
31 purposes of ensuring the physical safety of boaters in a

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1 sometimes turbulent area, the area from the easternmost edge
2 of the authorized navigation project of the intracoastal
3 waterway east through the Port Everglades Inlet is excluded
4 from this regulatory zone.

5 7. In Citrus County: headwaters of the Crystal River,
6 commonly referred to as King's Bay, and the Homosassa River.

7 8. In Volusia County: Blue Springs Run and connecting
8 waters of the St. Johns River within 1 mile of the confluence
9 of Blue Springs and the St. Johns River; and Thompson Creek,
10 Strickland Creek, Dodson Creek, and the Tomoka River.

11 9. In Hillsborough County: that portion of the Alafia
12 River from the main shipping channel in Tampa Bay to U.S.
13 Highway 41.

14 10. In Sarasota County: the Venice Inlet and
15 connecting waters within 1 mile thereof, including Lyons Bay,
16 Donna Bay, Roberts Bay, and Hatchett Creek, excluding the
17 waters of the intracoastal waterway and the right-of-way
18 bordering the centerline of the intracoastal waterway.

19 11. In Collier County: within the Port of Islands,
20 within section 9, township 52 south, range 28 east, and
21 certain unsurveyed lands, all east-west canals and the
22 north-south canals to the southerly extent of the intersecting
23 east-west canals which lie southerly of the centerline of U.S.
24 Highway 41.

25 12. In Manatee County: that portion of the Manatee
26 River east of the west line of section 17, range 19 east,
27 township 34 south; the Braden River south of the north line
28 and east of the west line of section 29, range 18 east,
29 township 34 south; Terra Ceia Bay and River, east of the west
30 line of sections 26 and 35 of range 17 east, township 33
31 south, and east of the west line of section 2, range 17 east,

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1 township 34 south; and Bishop Harbor east of the west line of
2 section 13, range 17 east, township 33 south.

3 13. In Miami-Dade County: those portions of Black
4 Creek lying south and east of the water control dam, including
5 all boat basins and connecting canals within 1 mile of the
6 dam.

7 ~~(h)(g)~~ The Fish and Wildlife Conservation Commission
8 shall adopt rules pursuant to chapter 120 regulating the
9 operation and speed of motorboat traffic only where manatee
10 sightings are frequent and the best available scientific
11 information, as well as other available, relevant, and
12 reliable information, which may include but is not limited to,
13 manatee surveys, observations, available studies of food
14 sources, and water depths, supports the conclusion that
15 manatees it can be generally assumed that they inhabit these
16 areas on a regular ~~or continuous~~ basis within that portion of
17 the Indian River between the St. Lucie Inlet in Martin County
18 and the Jupiter Inlet in Palm Beach County and. In addition,
19 ~~the commission shall adopt rules pursuant to chapter 120~~
20 ~~regulating the operation and speed of motorboat traffic only~~
21 ~~where manatee sightings are frequent and it can be generally~~
22 ~~assumed that they inhabit these areas on a regular or~~
23 ~~continuous basis~~ within the Loxahatchee River in Palm Beach
24 and Martin Counties, including the north and southwest forks
25 thereof. ~~A limited lane or corridor providing for reasonable~~
26 ~~motorboat speeds may be identified and designated within this~~
27 ~~area.~~

28 ~~(i)(h)~~ The commission shall adopt rules pursuant to
29 chapter 120 regulating the operation and speed of motorboat
30 traffic only where manatee sightings are frequent and the best
31 available scientific information, as well as other available,

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1 relevant, and reliable information, which may include but is
2 not limited to, manatee surveys, observations, available
3 studies of food sources, and water depths, supports the
4 conclusion that manatees ~~it can be generally assumed that they~~
5 inhabit these areas on a regular ~~or continuous~~ basis within
6 the Withlacoochee River and its tributaries in Citrus and Levy
7 Counties. The specific areas to be regulated include the
8 Withlacoochee River and the U.S. 19 bridge westward to a line
9 between U.S. Coast Guard markers number 33 and number 34 at
10 the mouth of the river, including all side channels and coves
11 along that portion of the river; Bennets' Creek from its
12 beginning to its confluence with the Withlacoochee River;
13 Bird's Creek from its beginning to its confluence with the
14 Withlacoochee River; and the two dredged canal systems on the
15 north side of the Withlacoochee River southwest of Yankeetown.
16 ~~A limited lane or corridor providing for reasonable motorboat~~
17 ~~speeds may be identified and designated within this area.~~

18 ~~(j)(i)~~ If any new power plant is constructed or other
19 source of warm water discharge is discovered within the state
20 which attracts a concentration of manatees or sea cows, the
21 ~~Fish and Wildlife Conservation~~ commission is directed to adopt
22 rules pursuant to chapter 120 regulating the operation and
23 speed of motorboat traffic within the area of such discharge.
24 Such rules shall designate a zone which is sufficient in size,
25 and which shall remain in effect for a sufficient period of
26 time, to protect the manatees or sea cows.

27 ~~(k)(j)~~ It is the intent of the Legislature ~~through~~
28 ~~adoption of this paragraph~~ to allow the Fish and Wildlife
29 Conservation Commission to post and regulate boat speeds only
30 where the best available scientific information, as well as
31 other available, relevant, and reliable information, which may

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1 include but is not limited to, manatee surveys, observations,
2 available studies of food sources, and water depth, supports
3 the conclusion that manatees ~~manatee sightings are frequent~~
4 ~~and it can be generally assumed that they~~ inhabit these areas
5 on a periodic ~~regular or continuous~~ basis. It is not the
6 intent of the Legislature to permit the commission to post and
7 regulate boat speeds generally throughout the waters of the
8 state in the above-described inlets, bays, rivers, creeks,
9 thereby unduly interfering with the rights of fishers,
10 boaters, and water skiers using the areas for recreational and
11 commercial purposes. The Legislature further intends that the
12 commission may identify and designate limited lanes or
13 corridors providing for reasonable motorboat speeds within
14 waters of the state whenever such lanes and corridors are
15 consistent with manatee protection ~~may be identified and~~
16 ~~designated within these areas.~~

17 (1)(*) The commission shall adopt rules pursuant to
18 chapter 120 regulating the operation and speed of motorboat
19 traffic all year around within Turkey Creek and its
20 tributaries and within Manatee Cove in Brevard County. The
21 specific areas to be regulated consist of:

22 1. A body of water which starts at Melbourne-Tillman
23 Drainage District structure MS-1, section 35, township 28
24 south, range 37 east, running east to include all natural
25 waters and tributaries of Turkey Creek, section 26, township
26 28 south, range 37 east, to the confluence of Turkey Creek and
27 the Indian River, section 24, township 28 south, range 37
28 east, including all lagoon waters of the Indian River bordered
29 on the west by Palm Bay Point, the north by Castaway Point,
30 the east by the four immediate spoil islands, and the south by
31 Cape Malabar, thence northward along the shoreline of the

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1 Indian River to Palm Bay Point.

2 2. A triangle-shaped body of water forming a cove
3 (commonly referred to as Manatee Cove) on the east side of the
4 Banana River, with northern boundaries beginning and running
5 parallel to the east-west cement bulkhead located 870 feet
6 south of SR 520 Relief Bridge in Cocoa Beach and with western
7 boundaries running in line with the City of Cocoa Beach
8 channel markers 121 and 127 and all waters east of these
9 boundaries in section 34, township 24 south, range 37 east;
10 the center coordinates of this cove are 28°20'14" north,
11 80°35'17" west.

12 (m)~~(l)~~ The commission shall promulgate regulations
13 pursuant to chapter 120 relating to the operation and speed of
14 motor boat traffic in port waters with due regard to the
15 safety requirements of such traffic and the navigational
16 hazards related to the movement of commercial vessels.

17 (n)~~(m)~~ The commission may designate by rule adopted
18 pursuant to chapter 120 other portions of state waters where
19 manatees are frequently sighted and the best available
20 scientific information, as well as other available, relevant,
21 and reliable information, which may include but is not limited
22 to, manatee surveys, observations, available studies of food
23 sources, and water depths, supports the conclusion that it can
24 be assumed that manatees inhabit such waters periodically ~~or~~
25 ~~continuously~~. Upon designation of such waters, the commission
26 shall adopt rules pursuant to chapter 120 to regulate
27 motorboat speed and operation which are necessary to protect
28 manatees from harmful collisions with motorboats and from
29 harassment. The commission may adopt rules pursuant to chapter
30 120 to protect manatee habitat, such as seagrass beds, within
31 such waters from destruction by boats or other human activity.

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1 Such rules shall not protect noxious aquatic plants subject to
2 control under s. 369.20.

3 (o)~~(n)~~ The commission may designate, by rule adopted
4 pursuant to chapter 120, limited areas as a safe haven for
5 manatees to rest, feed, reproduce, give birth, or nurse
6 undisturbed by human activity. Access by motor boat to private
7 residences, boat houses, and boat docks through these areas by
8 residents, and their authorized guests, who must cross one of
9 these areas to have water access to their property is
10 permitted when the motorboat is operated at idle speed, no
11 wake.

12 (p)~~(o)~~ Except in the marked navigation channel of the
13 Florida Intracoastal Waterway as defined in s. 327.02 and the
14 area within 100 feet of such channel, a local government may
15 regulate, by ordinance, motorboat speed and operation on
16 waters within its jurisdiction where the best available
17 scientific information, as well as other available, relevant,
18 and reliable information, which may include but is not limited
19 to, manatee surveys, observations, available studies of food
20 sources, and water depths, supports the conclusion that
21 manatees inhabit these areas on a regular basis ~~where manatees~~
22 ~~are frequently sighted and can be generally assumed to inhabit~~
23 ~~periodically or continuously.~~ However, such an ordinance may
24 not take effect until it has been reviewed and approved by the
25 commission. If the commission and a local government disagree
26 on the provisions of an ordinance, a local manatee protection
27 committee must be formed to review the technical data of the
28 commission and the United States Fish and Wildlife Service,
29 and to resolve conflicts regarding the ordinance. The manatee
30 protection committee must be comprised of:

31 1. A representative of the commission;

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- 1 2. A representative of the county;
- 2 3. A representative of the United States Fish and
- 3 Wildlife Service;
- 4 4. A representative of a local marine-related
- 5 business;
- 6 5. A representative of the Save the Manatee Club;
- 7 6. A local fisher;
- 8 7. An affected property owner; and
- 9 8. A representative of the Florida Marine Patrol.

10

11 If local and state regulations are established for the same
12 area, the more restrictive regulation shall prevail.

13 ~~(p)~~ (q) The commission shall evaluate the need for use
14 of fenders to prevent crushing of manatees between vessels
15 (100' or larger) and bulkheads or wharves in counties where
16 manatees have been crushed by such vessels. For areas in
17 counties where evidence indicates that manatees have been
18 crushed between vessels and bulkheads or wharves, the
19 commission shall:

20 1. Adopt rules pursuant to chapter 120 requiring use
21 of fenders for construction of future bulkheads or wharves;
22 and

23 2. Implement a plan and time schedule to require
24 retrofitting of existing bulkheads or wharves consistent with
25 port bulkhead or wharf repair or replacement schedules.

26

27 The fenders shall provide sufficient standoff from the
28 bulkhead or wharf under maximum operational compression to
29 ensure that manatees cannot be crushed between the vessel and
30 the bulkhead or wharf.

31 ~~(q)~~ (r) Any violation of a restricted area established

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1 by this subsection, or established by rule pursuant to chapter
2 120 or ordinance pursuant to this subsection, shall be
3 considered a violation of the boating laws of this state and
4 shall be charged on a uniform boating citation as provided in
5 s. 327.74, except as otherwise provided in paragraph (s). Any
6 person who refuses to post a bond or accept and sign a uniform
7 boating citation shall, as provided in s. 327.73(3), be guilty
8 of a misdemeanor of the second degree, punishable as provided
9 in s. 775.082 or s. 775.083.

10 (s)~~(r)~~ Except as otherwise provided in this paragraph,
11 any person violating the provisions of this subsection or any
12 rule or ordinance adopted pursuant to this subsection shall be
13 guilty of a misdemeanor, punishable as provided in s.
14 370.021(1)(a) or (b).

15 1. Any person operating a vessel in excess of a posted
16 speed limit shall be guilty of a civil infraction, punishable
17 as provided in s. 327.73, except as provided in subparagraph
18 2.

19 2. This paragraph does not apply to persons violating
20 restrictions governing "No Entry" zones or "Motorboat
21 Prohibited" zones, who, if convicted, shall be guilty of a
22 misdemeanor, punishable as provided in s. 370.021(1)(a) or
23 (b), or, if such violation demonstrates blatant or willful
24 action, may be found guilty of harassment as described in
25 paragraph (d).

26 (t) 1. In order to protect manatees and manatee
27 habitat, the counties identified in the Governor and Cabinet's
28 October 1989 Policy Directive shall develop manatee protection
29 plans consistent with commission criteria based upon "Schedule
30 K" of the directive, and shall submit such protection plans
31 for review and approval by the commission. Any manatee

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1 protection plans not submitted by July 1, 2004 and any plans
2 not subsequently approved by the commission shall be addressed
3 pursuant to subparagraph 2.

4 2. No later than January 1, 2005, the Fish and
5 Wildlife Conservation Commission shall designate any county it
6 has identified as a substantial risk county for manatee
7 mortality as a county that must complete a manatee protection
8 plan by July 1, 2006. The commission is authorized to adopt
9 rules pursuant to s. 120.54 for identifying substantial risk
10 counties and establishing criteria for approval of manatee
11 protection plans for counties so identified. Manatee
12 protection plans shall include the following elements at a
13 minimum: education about manatees and manatee habitat; boater
14 education; an assessment of the need for new or revised
15 manatee protection speed zones; local law enforcement; and a
16 boat facility siting plan to address expansion of existing and
17 the development of new marinas, boat ramps, and other
18 multislip boating facilities.

19 3. Counties required to adopt manatee protection plans
20 under this paragraph shall incorporate the boating facility
21 siting element of those protection plans within their
22 respective comprehensive plans. Counties that have already
23 adopted manatee protection plans, or that adopt manatee
24 protection plans by the effective date of this act, are not
25 subject to the provisions of this paragraph.

26 Section 2. Subsection (6) is added to section 372.072,
27 Florida Statutes, to read:

28 372.072 Endangered and Threatened Species Act.--

29 (6) MEASURABLE BIOLOGICAL GOALS.--No later than
30 February 15, 2003, the commission, working in conjunction with
31 the United States Fish and Wildlife Service, shall develop

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1 measurable biological goals that define manatee recovery.
2 These measurable biological goals shall be used by the
3 commission in its development of management plans or work
4 plans. In addition to other criteria, these measurable
5 biological goals shall be used by the commission when
6 evaluating existing and proposed protection rules, and in
7 determining progress in achieving manatee recovery.

8 Section 3. Subsection (2) of section 327.41, Florida
9 Statutes, is amended to read:

10 327.41 Uniform waterway regulatory markers.--

11 (2) Any county or municipality which has been granted
12 a restricted area designation, pursuant to s. 327.46, for a
13 portion of the Florida Intracoastal Waterway within its
14 jurisdiction or which has adopted a restricted area by
15 ordinance pursuant to s. 327.22, s. 327.60, or s. 370.12(2)(p)
16 ~~s. 370.12(2)(o)~~, or any other governmental entity which has
17 legally established a restricted area, may apply to the
18 commission for permission to place regulatory markers within
19 the restricted area.

20 Section 4. It is the intent of the Legislature that
21 the commission request the necessary funding and staffing
22 through a general revenue budget request to ensure that
23 manatees receive the maximum protection possible. The
24 Legislature recognizes that strong manatee protection depends
25 upon consistently achieving a high degree of compliance with
26 existing and future rules. The commission shall conduct
27 standardized studies to determine levels of public compliance
28 with manatee protection rules, and shall use the results of
29 the studies, together with other relevant information, to
30 develop and implement strategic law enforcement initiatives
31 and boater education plans. Drawing upon information obtained

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1 from the compliance studies and the implementation of
2 enforcement initiatives together with boater education plans,
3 the commission shall identify any impediments in consistently
4 achieving high levels of compliance, and adjust their
5 enforcement and boater education efforts accordingly.

6 Section 5. The Legislature intends that the provisions
7 of this act may not be retroactively applied to manatee
8 protection rules existing or in the process of being adopted
9 on the effective date of this act unless the Fish and Wildlife
10 Conservation Commission proposes to amend or revise such rules
11 after this act takes effect. Proposed rules that are currently
12 subject to an administrative challenge pending as of February
13 12, 2002, are not subject to the provisions of this act unless
14 a court or administrative hearing officer finds such proposed
15 rule to be invalid and all appeals have been exhausted. Once
16 such rules become final, any revisions or amendments of such
17 rules shall be conducted pursuant to the provisions of this
18 act.

19 Section 6. This act shall take effect July 1, 2002.

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

23 And the title is amended as follows:

24 On page 17, line 16 through page 18, line 21,
25 remove: all of said lines

27 and insert:

28 An act relating to the protection of manatees;
29 amending s. 370.12, F.S.; requiring notice to
30 counties where manatee protection zones or
31 manatee speed zones may be imposed by the Fish

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1 and Wildlife Conservation Commission; providing
2 for establishment of local rule review
3 committees; providing duties and
4 responsibilities of the counties, committees,
5 and commission; providing for committee reports
6 and recommendations; providing that written
7 reports submitted to the commission by the
8 committees and Fish and Wildlife Conservation
9 Commission staff responses shall be part of the
10 rulemaking record; clarifying the Fish and
11 Wildlife Conservation Commission's authority to
12 provide comments to permitting agencies
13 relating to the protection of manatees;
14 revising the circumstances under which the
15 commission may post and regulate motorboat
16 speeds to protect manatees; requiring specified
17 counties to develop manatee protection plans
18 that are consistent with specified policy
19 directive; providing the commission with
20 rulemaking authority; amending s. 372.072,
21 F.S.; requiring that the commission develop a
22 measurable biological goal to define manatee
23 recovery; requiring the commission to use the
24 goal in developing management plans and work
25 plans and for determining the progress of
26 manatee recovery; amending s. 327.41, F.S.;
27 conforming a cross-reference; providing
28 legislative intent regarding manatee
29 protection; providing for compliance studies,
30 enforcement initiatives, and boater education
31 plans; requiring the commission to identify

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1 impediments to high rates of compliance;
2 providing legislative intent that the
3 provisions of the act not be retroactively
4 applied except as otherwise provided; providing
5 an exemption; providing an effective date.
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