

Bill No. SB 2586

Amendment No. 1 Barcode 385224

CHAMBER ACTION

Senate

House

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The Committee on Natural Resources recommended the following amendment:

Senate Amendment

Delete everything after the enacting clause

and insert:

Section 1. Subsection (3) of section 20.331, Florida Statutes, is amended, and paragraph (e) is added to subsection (5) of that section, to read:

20.331 Fish and Wildlife Conservation Commission.--

(3) The following administrative units are established within the commission:

- (a) Division of Administrative Services.
- (b) Division of Law Enforcement.
- (c) Division of Freshwater Fisheries.
- (d) Division of Marine Fisheries.
- (e) Division of Wildlife.
- (f) Florida Marine Research Institute.

The bureaus and offices of the Game and Fresh Water Fish

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1 Commission existing on February 1, 1999, are established
2 within the Fish and Wildlife Conservation Commission.
3 Effective July 1, 2003, there is created within the commission
4 an Office of Boating and Waterways with duties and
5 responsibilities as provided in subsection (5).

6 (5) In further exercise of its duties, the Fish and
7 Wildlife Conservation Commission:

8 (e) Shall assign to the Office of Boating and
9 Waterways such powers, duties, responsibilities, and functions
10 as are necessary to manage and promote the use of state
11 waterways for safe and enjoyable boating. Duties and
12 responsibilities include, but are not limited to, oversight
13 and coordination of waterway markers on state waters,
14 providing boating education and boating safety programs,
15 improving boating access, coordinating the removal of derelict
16 vessels from state waters, economic development initiatives to
17 promote boating in the state, and coordinating the submission
18 of state comments on marine events.

19 Section 2. Paragraph (d) is added to subsection (1) of
20 section 206.606, Florida Statutes, to read:

21 206.606 Distribution of certain proceeds.--

22 (1) Moneys collected pursuant to ss. 206.41(1)(g) and
23 206.87(1)(e) shall be deposited in the Fuel Tax Collection
24 Trust Fund. Such moneys, after deducting the service charges
25 imposed by s. 215.20, the refunds granted pursuant to s.
26 206.41, and the administrative costs incurred by the
27 department in collecting, administering, enforcing, and
28 distributing the tax, which administrative costs may not
29 exceed 2 percent of collections, shall be distributed monthly
30 to the State Transportation Trust Fund, except that:

31 (d) A portion of the moneys attributable to the sale

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1 of motor and diesel fuel at marinas shall be transferred from
2 the Fuel Tax Collection Trust Fund to the Marine Resources
3 Conservation Trust Fund in the Fish and Wildlife Conservation
4 Commission as follows:
5 1. \$2.5 million in fiscal year 2003-2004;
6 2. \$5.0 million in fiscal year 2004-2005;
7 3. \$8.5 million in fiscal year 2005-2006;
8 4. \$10.9 million in fiscal year 2006-2007; and
9 5. \$13.4 million in fiscal year 2007-2008 and each
10 fiscal year thereafter.

11 Section 3. Subsection (1) of section 370.0603, Florida
12 Statutes, is amended, and subsection (4) is added to that
13 section, to read:

14 370.0603 Marine Resources Conservation Trust Fund;
15 purposes.--

16 (1) The Marine Resources Conservation Trust Fund
17 within the Fish and Wildlife Conservation Commission shall
18 serve as a broad-based depository for funds from various
19 marine-related and boating-related activities and shall be
20 administered by the commission for the purposes of:

- 21 (a) Funding for marine research.
22 (b) Funding for fishery enhancement, including, but
23 not limited to, fishery statistics development, artificial
24 reefs, and fish hatcheries.
25 (c) Funding for marine law enforcement.
26 (d) Funding for administration of licensing programs
27 for recreational fishing, saltwater products sales, and
28 related information and education activities.
29 (e) Funding for the operations of the Fish and
30 Wildlife Conservation Commission.
31 (f) Funding for titling and registration of vessels.

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1 (g) Funding for marine turtle protection, research,
2 and recovery activities from revenues that are specifically
3 credited to the trust fund for these purposes.

4 (h) Funding activities for rehabilitation of oyster
5 harvesting areas from which special oyster surcharge fees are
6 collected, including relaying and transplanting live oysters.

7 (i) Funding for boating research, boating-related
8 programs and activities, and for law enforcement on state
9 waters.

10 (4) Funds transferred to the Marine Resources
11 Conservation Trust Fund from the Fuel Tax Collection Trust
12 Fund pursuant to s. 206.606 shall be used for the following
13 purposes:

14 (a) To provide for additional water-related law
15 enforcement, including enforcement of laws and regulations
16 related to the protection of manatees.

17 (b) For the placement of uniform waterway markers on
18 state waters.

19 (c) To provide funding for construction and
20 maintenance of publicly owned boat ramps, piers, and docks,
21 directly and through grants to counties and municipalities.

22 (d) To implement and administer programs related to
23 boating safety and education, manatee technical avoidance
24 technology, and economic development initiatives to promote
25 boating in the state, including competitive grants programs as
26 provided in s. 327.47.

27 (e) For other activities of the Office of Boating and
28 Waterways such as coordinating the submission of state
29 comments on boating-related events.

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31 Funds not used in one fiscal year must be carried over for use

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1 in subsequent years.

2 Section 4. Section 327.47, Florida Statutes, is
3 created to read:

4 327.47 Competitive grant program.--The commission
5 shall develop and administer competitive grant programs funded
6 with moneys transferred pursuant to s. 206.606(1)(d). Grants
7 may be awarded for the construction and maintenance of
8 publicly owned boat ramps, piers, and docks, boater education,
9 deployment of manatee technical avoidance technology, and
10 economic development initiatives that promote boating in the
11 state. The commission may adopt rules pursuant to chapter 120
12 to implement this section.

13 Section 5. This act shall take effect July 1, 2003.

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