

By Senator Dockery

15-986B-03

1 A bill to be entitled
2 An act relating to the Fish and Wildlife
3 Conservation Commission; amending s. 20.331,
4 F.S.; creating the Office of Boating and
5 Waterways within the commission; providing
6 powers and duties of the office; amending s.
7 206.606, F.S.; providing for the transfer of
8 moneys from the Fuel Tax Collection Trust Fund
9 to the Marine Resources Conservation Trust
10 Fund; amending s. 370.0603, F.S.; providing for
11 the use of funds transferred from the Fuel Tax
12 Collection Trust Fund; creating s. 327.47,
13 F.S.; providing for competitive grant programs;
14 providing an effective date.

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16 Be It Enacted by the Legislature of the State of Florida:

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

21 20.331 Fish and Wildlife Conservation Commission.--

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

- 24 (a) Division of Administrative Services.
- 25 (b) Division of Law Enforcement.
- 26 (c) Division of Freshwater Fisheries.
- 27 (d) Division of Marine Fisheries.
- 28 (e) Division of Wildlife.
- 29 (f) Florida Marine Research Institute.

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1 The bureaus and offices of the Game and Fresh Water Fish
2 Commission existing on February 1, 1999, are established
3 within the Fish and Wildlife Conservation Commission. There is
4 created within the commission an office of Boating and
5 Waterways.

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, including oversight
12 and coordination of waterway markers on state waters,
13 providing programs for boating education and boating safety,
14 improving boating access, coordinating the removal of derelict
15 vessels from state waters, economic development initiatives to
16 promote boating in the state, and coordinating the submission
17 of state comments on marine events.

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

20 206.606 Distribution of certain proceeds.--

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

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1 (d) Moneys collected from sales at marinas shall be
2 transferred to the Marine Resources Conservation Trust Fund in
3 the Fish and Wildlife Conservation Commission as follows:

- 4 1. \$5.0 million in fiscal year 2003-2004;
5 2. \$8.5 million in fiscal year 2004-2005;
6 3. \$10.9 million in fiscal year 2005-2006; and
7 4. \$13.4 million in fiscal year 2006-2007 and each
8 fiscal year thereafter.

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

12 370.0603 Marine Resources Conservation Trust Fund;
13 purposes.--

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

19 (a) Funding for marine and boating research.

20 (b) Funding for fishery enhancement, including, but
21 not limited to, fishery statistics development, artificial
22 reefs, and fish hatcheries.

23 (c) Funding for marine law enforcement.

24 (d) Funding for administration of licensing programs
25 for recreational fishing, saltwater products sales, and
26 related information and education activities.

27 (e) Funding for the operations of the Fish and
28 Wildlife Conservation Commission.

29 (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-related programs and
8 activities and for law enforcement on state waters.

9 (4) Funds provided to the Marine Resources
10 Conservation Trust Fund from taxes distributed under s.
11 206.606 shall be used for the following purposes:

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

15 (b) For the placement of uniform waterway and markers
16 on state waters.

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

20 (d) To implement and administer programs, including
21 competitive grant programs, related to boating safety and
22 education, manatee technical avoidance technology, and
23 economic-development initiatives to promote boating in the
24 state.

25 (e) For other activities of the Office of Boating and
26 Waterways.

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28 Funds not used in one fiscal year must be carried over for use
29 in subsequent years.

30 Section 4. Section 327.47, Florida Statutes, is
31 created to read:

