



HB 0655

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A bill to be entitled  
 An act relating to Brevard County; amending chapter 94-419, Laws of Florida, as amended by chapter 2000-451, Laws of Florida; revising provisions relating to license term; revising provisions relating to fees; revising provisions relating to the limitation on the issuance of licenses; revising provisions relating to the use of proceeds from the collection of licensing fees; providing an expiration date; providing an effective date.

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

Section 1. Subsections (1), (3), (4), and (7) of section 2 and sections 5 and 12 of section 1 of chapter 2000-451, Laws of Florida, are amended to read:

Section 2. (1) The Fish and Wildlife Conservation Commission shall issue a resident or nonresident clam license during a 61-day period beginning June 1 of each year, except that in 1994 the 61-day period shall begin on the effective date of this act. The term of the license begins on July 1 of the purchase year and ends on June 30 of the following ~~third~~ ~~succeeding~~ year. The fee for a resident license is \$100 ~~\$300~~, and the fee for a nonresident license is \$400 ~~\$1,200~~. The license is valid only for the individual licensee to whom it is issued. The nonresident license must be readily distinguishable from the resident license.

(3) A license may be purchased after the annual 61-day license issuance period upon the payment of an additional \$400 ~~\$1,200~~ late fee to the commission.

(4) Beginning June 1, 1996, no new clam licenses shall be



HB 0655

2003

31 issued by the Department of Environmental Protection or the Fish  
 32 and Wildlife Conservation Commission until the total number of  
 33 active and renewed clam licenses for Brevard County falls below  
 34 400 ~~500~~ for the previous license year. In any year thereafter,  
 35 the commission may issue such additional new licenses to bring  
 36 the total number of licenses issued for Brevard County up to a  
 37 maximum of 400 ~~500~~.

38 (7) On July 1 of each year, the Fish and Wildlife  
 39 Conservation Commission will determine if the total number of  
 40 licenses has fallen below 400 ~~500~~. If so, the commission may  
 41 issue new licenses under the following stipulations:

42 (a) First priority will be given to current Brevard County  
 43 Hard Clam License holders who have missed one of the required  
 44 educational seminars. Applicants will have a 60-day period  
 45 beginning July 1 to apply for a new license and complete the  
 46 missed educational seminar.

47 (b) Second priority will be given to past Brevard County  
 48 Hard Clam License holders under this act. Applicants will have a  
 49 60-day period beginning September 1 to apply for a new license  
 50 and complete all missed educational seminars.

51 (c) Final priority will be on a first-come first-served  
 52 basis. Applicants will have a 60-day period beginning November 1  
 53 to apply for a new license and complete all educational  
 54 seminars.

55 (d) New licenses will not be issued between January 1 and  
 56 June 30 of any year.

57 Section 5. The Fish and Wildlife Conservation Commission  
 58 shall remit the proceeds from the clam license to the Department  
 59 of Agriculture and Consumer Services less any reasonable  
 60 administrative costs associated with the issuance of said



HB 0655

2003

61 license. The proceeds from the collection of license fees or  
62 civil penalties under this act, including any late fees, are to  
63 be deposited in the General Inspection Trust Fund of the  
64 Department of Agriculture and Consumer Services and, less  
65 reasonable administrative and educational costs, must be  
66 appropriated for the initial testing and reclassification of  
67 shellfish-harvesting waters in Brevard County. A portion of the  
68 proceeds, not more than 40 percent, must be used to mark those  
69 open and closed waters of Brevard County until all such waters  
70 are so marked. An additional portion of the proceeds must be  
71 used for clam resource restoration and enhancement projects in  
72 various areas of benefit to and in coordination with the Brevard  
73 County clamming industry.

74 Section 12. This act shall expire July 1, 2008 ~~2003~~.

75 Section 2. This act shall take effect upon becoming a law.