



CHAMBER ACTION

The Committee on Finance & Tax recommends the following:

Committee Substitute

Remove the entire bill and insert:

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



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29 | of this act. The term of the license begins on July 1 of the
30 | purchase year and ends on June 30 of the following ~~third~~
31 | ~~succeeding~~ year. The fee for a resident license is \$100 ~~\$300~~,
32 | and the fee for a nonresident license is \$400 ~~\$1,200~~. The
33 | license is valid only for the individual licensee to whom it is
34 | issued. The nonresident license must be readily distinguishable
35 | from the resident license.

36 | (3) A license may be purchased after the annual 61-day
37 | license issuance period upon the payment of an additional \$400
38 | ~~\$1,200~~ late fee to the commission.

39 | (4) Beginning June 1, 1996, no new clam licenses shall be
40 | issued by the Department of Environmental Protection or the Fish
41 | and Wildlife Conservation Commission until the total number of
42 | active and renewed clam licenses for Brevard County falls below
43 | 400 ~~500~~ for the previous license year. In any year thereafter,
44 | the commission may issue such additional new licenses to bring
45 | the total number of licenses issued for Brevard County up to a
46 | maximum of 400 ~~500~~.

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

51 | (a) First priority will be given to current Brevard County
52 | Hard Clam License holders who have missed one of the required
53 | educational seminars. Applicants will have a 60-day period
54 | beginning July 1 to apply for a new license and complete the
55 | missed educational seminar.



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56 (b) Second priority will be given to past Brevard County
57 Hard Clam License holders under this act. Applicants will have a
58 60-day period beginning September 1 to apply for a new license
59 and complete all missed educational seminars.

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

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

66 Section 5. The Fish and Wildlife Conservation Commission
67 shall remit the proceeds from the clam licenses and late fees to
68 the Department of Agriculture and Consumer Services less any
69 reasonable administrative costs associated with the issuance of
70 said license. The proceeds from the collection of license fees
71 or civil penalties under this act, including any late fees, are
72 to be deposited in the General Inspection Trust Fund of the
73 Department of Agriculture and Consumer Services and, less
74 reasonable administrative and educational costs, must be
75 appropriated for the initial testing and reclassification of
76 shellfish-harvesting waters in Brevard County. A portion of the
77 proceeds, not more than 40 percent, must be used to mark those
78 open and closed waters of Brevard County until all such waters
79 are so marked. An additional portion of the proceeds must be
80 used for clam resource restoration and enhancement projects in
81 various areas of benefit to and in coordination with the Brevard
82 County clamming industry.

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



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