

CHAMBER ACTION

1 The Committee on Commerce recommends the following:

2
3 **Committee Substitute**

4 Remove the entire bill and insert:

5
6 A bill to be entitled

7 An act relating to the Great Florida Wreck-reation Diving
8 Trail Act; providing a popular name; providing purpose of
9 the act; creating the Florida MARAD and U.S. Navy Vessel
10 Placement Commission within the Office of Tourism, Trade,
11 and Economic Development; providing membership,
12 organization, administrative support, and duties of the
13 commission; providing that the commission is subject to
14 public records and public meetings requirements; requiring
15 the commission to request and receive interagency
16 comments; providing for expiration of the commission;
17 providing for transfer of documents and remaining assets
18 of the commission; providing an effective date.

19
20 WHEREAS, in the past, the United States Navy has used
21 unneeded ships as targets for military exercises known as
22 sinking exercises, and

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23 WHEREAS, now the Navy has devised an alternative means of
24 disposing of obsolete Navy vessels that allows the vessels to
25 serve in a productive capacity for hundreds of years past their
26 intended use, and

27 WHEREAS, the National Defense Authorization Bill for fiscal
28 year 2004 (H.R. 1588) allows appropriate decommissioned ships to
29 be donated for use as artificial reefing, and

30 WHEREAS, the process of using obsolete vessels as man-made
31 artificial reefs not only promotes marine life and fishing but
32 relieves pressures on natural coral reefs, and

33 WHEREAS, the measure allows the Navy to accomplish the
34 overall process for cost-effective donation transfer of
35 available naval vessels, and

36 WHEREAS, the United States Maritime Administration (MARAD)
37 will coordinate federal agency solicitation and application for
38 obtaining the vessels for use as artificial reefs, and

39 WHEREAS, the donation and transfer application for all Navy
40 and MARAD ships available for use as artificial reefs may be
41 submitted only by states, commonwealths, and territories and
42 possessions of the United States, or municipal corporations or
43 political subdivisions thereof, and

44 WHEREAS, the program provides a practical option for
45 disposing of inactive naval vessels in a cost-effective and
46 environmentally sound manner that can also promote ecotourism
47 associated with recreational diving and fishing in Florida, NOW,
48 THEREFORE,

49
50 Be It Enacted by the Legislature of the State of Florida:

51
52 Section 1. (1) POPULAR NAME.--This act may be referred to
53 by the popular name the "Great Florida Wrek-reation Diving Trail
54 Act of 2004."

55 (2) PURPOSE.--The purpose of the Great Florida Wrek-
56 reation Diving Trail Act is to promote ecotourism associated
57 with recreational diving and fishing in Florida through the
58 placement of United States Maritime Administration (MARAD) and
59 United States Navy decommissioned vessels in Florida waters as
60 artificial reefs. The commission shall be considered the
61 artificial reef coordinator for Florida for purposes of the
62 United States Department of Transportation transfer of obsolete
63 MARAD and Navy vessels program.

64 (3) FLORIDA MARAD AND U.S. NAVY VESSEL PLACEMENT
65 COMMISSION; CREATION.--There is created within the Office of
66 Tourism, Trade, and Economic Development the Florida MARAD and
67 U.S. Navy Vessel Placement Commission.

68 (4) MEMBERSHIP.--The commission shall consist of five
69 members, all of whom shall be residents of the state. Three
70 members shall represent recreational scuba diving in Florida,
71 one of whom shall be appointed by the Speaker of the House of
72 Representatives, one of whom shall be appointed by the President
73 of the Senate, and one of whom shall be appointed by the
74 Governor. Two members shall represent recreational fishing
75 interests and the tourism industry in Florida, one of whom shall
76 be appointed by the Speaker of the House of Representatives, and
77 one of whom shall be appointed by the President of the Senate.
78 Members shall be appointed in such a manner as to equitably

79 | represent different geographic areas of the state. The initial
 80 | appointments to the commission shall be made no later than
 81 | September 1, 2004.

82 | (5) ORGANIZATION.--

83 | (a) The Governor shall designate one member of the
 84 | commission as its chair. Vacancies in membership of the
 85 | commission shall be filled in the same manner as the original
 86 | appointments.

87 | (b) The commission shall meet at least quarterly. A
 88 | majority of the members shall constitute a quorum for the
 89 | purpose of conducting business.

90 | (c) The commission shall establish procedures for its
 91 | operations, including notice procedures for commission meetings
 92 | and procedures with respect to the application process under
 93 | subsection (7).

94 | (d) Members of the commission shall serve without
 95 | compensation but shall be entitled to per diem and travel
 96 | expenses pursuant to s. 112.061, Florida Statutes, while in the
 97 | performance of their duties.

98 | (e) Each member of the commission shall file full and
 99 | public disclosure of financial interests at the times and places
 100 | and in the same manner required of elected constitutional
 101 | officers under s. 8, Art. II of the State Constitution and any
 102 | law implementing that provision.

103 | (f) Records and meetings of the commission shall be
 104 | subject to the requirements of the public records law and public
 105 | meetings law in chapters 119 and 286, Florida Statutes,
 106 | respectively.

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107 (6) ADMINISTRATIVE SUPPORT.--The Office of Tourism, Trade,
 108 and Economic Development shall provide administrative support to
 109 the commission for all of its activities. The activities of the
 110 commission shall be funded through private donations.

111 (7) DUTIES.--The commission shall review applications from
 112 Florida counties and municipalities for placement of MARAD and
 113 U.S. Navy decommissioned vessels in Florida waters as artificial
 114 reefs. The commission shall receive donation transfer
 115 applications for such vessels and, using federal evaluation
 116 criteria, shall recommend to the Governor sites within the state
 117 for placement of such vessels. The commission shall develop a
 118 master site plan for the purposes of maximizing the number and
 119 type of vessels for placement in Florida waters. Criteria shall
 120 include placement of vessels in a geographically dispersed
 121 manner.

122 (8) INTERAGENCY COMMENTS.--The commission shall request
 123 and receive interagency comments from local artificial reef
 124 permitting agencies, the Florida Department of Environmental
 125 Protection, and the Florida Fish and Wildlife Conservation
 126 Commission, allowing a review period consistent with MARAD and
 127 U.S. Navy application deadlines. Interagency comments on
 128 submitted applications must be limited to that agency's area of
 129 responsibility.

130 (9) TERM.--The commission shall expire on December 31,
 131 2006, unless reenacted by the Legislature. Prior to termination,
 132 all documents and all remaining assets of the commission shall
 133 be transferred to the Office of Tourism, Trade, and Economic
 134 Development.

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