

By Senator Cowin

20-1232A-04

1 A bill to be entitled

2 An act relating to vessel licenses; amending s.

3 372.09, F.S.; providing that revenues from the

4 sale of freshwater vessel licenses be deposited

5 into the State Game Trust Fund; amending s.

6 372.57, F.S.; creating a Freshwater Vessel

7 License Pilot Program within the Fish and

8 Wildlife Conservation Commission; establishing

9 nonmandatory license fees and categories;

10 prohibiting the transfer of vessel licenses

11 under certain circumstances; providing for the

12 expiration of the pilot program; creating a

13 Vessel License Task Force within the

14 commission; providing for membership of the

15 task force; providing responsibilities and

16 duties of the task force; requiring the task

17 force to submit recommendations to the

18 commission and certain committees of the

19 Legislature; providing for expiration of the

20 task force; amending s. 372.562, F.S.;

21 providing exemptions from certain fees and

22 requirements for persons fishing from or

23 operating a freshwater vessel with a freshwater

24 vessel license; providing an effective date.

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

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28 Section 1. Section 372.09, Florida Statutes, is

29 amended to read:

30 372.09 State Game Trust Fund.--The funds resulting

31 from the operation of the commission and from the

1 administration of the laws and regulations pertaining to
2 birds, game, fur-bearing animals, freshwater fish, reptiles,
3 and amphibians, including funds resulting from the sale of
4 freshwater vessel licenses authorized in this chapter,
5 together with any other funds specifically provided for such
6 purposes shall constitute the State Game Trust Fund and shall
7 be used by the commission as it shall deem fit in carrying out
8 the provisions hereof and for no other purposes. The
9 commission may not obligate itself beyond the current
10 resources of the State Game Trust Fund unless specifically so
11 authorized by the Legislature.

12 Section 2. Subsection (7) of section 372.57, Florida
13 Statutes, is amended, and subsections (16) and (17) are added
14 to that section, to read:

15 372.57 Recreational licenses, permits, and
16 authorization numbers; fees established.--

17 (7) VESSEL LICENSES.--

18 (a) No person may operate any vessel wherein a fee is
19 paid, either directly or indirectly, for the purpose of
20 taking, attempting to take, or possessing any saltwater fish
21 for noncommercial purposes unless she or he has obtained a
22 license for each vessel for that purpose, and has paid the
23 license fee pursuant to paragraph (b), paragraph (c), or
24 paragraph (d)~~paragraphs (b) and (c)~~for such vessel. A
25 saltwater vessel license issued under this subsection must be
26 identified as such and may be transferred only to other
27 saltwater vessels.

28 (b) A license for any person who operates any vessel
29 licensed to carry more than 10 customers, wherein a fee is
30 paid, either directly or indirectly, for the purpose of taking
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1 or attempting to take saltwater fish, is \$800 per year. The
2 license must be kept aboard the vessel at all times.

3 (c)~~1~~. A license for any person who operates any vessel
4 licensed to carry no more than 10 customers, or for any person
5 licensed to operate any vessel carrying 6 or fewer customers,
6 wherein a fee is paid, either directly or indirectly, for the
7 purpose of taking or attempting to take saltwater fish, is
8 \$400 per year.

9 (d)~~2~~. A license for any person licensed to operate any
10 vessel carrying 6 or fewer customers but who operates a vessel
11 carrying 4 or fewer customers, wherein a fee is paid, either
12 directly or indirectly, for the purpose of taking or
13 attempting to take saltwater fish, is \$200 per year. The
14 license must be kept aboard the vessel at all times.

15 (e)~~3~~. A person who operates a vessel required to be
16 licensed pursuant to paragraph (b), paragraph (c), or ~~this~~
17 paragraph(d) may obtain a license in her or his own name, and
18 such license shall be transferable and apply to any vessel
19 operated by the purchaser, provided that the purchaser has
20 paid the appropriate license fee.

21 (f)~~(d)~~ A license for a recreational vessel not for
22 hire and for which no fee is paid, either directly or
23 indirectly, by guests for the purpose of taking or attempting
24 to take saltwater fish noncommercially is \$2,000 per year.
25 The license may be purchased at the option of the vessel owner
26 and must be kept aboard the vessel at all times. A log of
27 species taken and the date the species were taken shall be
28 maintained and a copy of the log filed with the commission at
29 the time of renewal of the license.

30 (g)~~(e)~~ The owner, operator, or custodian of a vessel
31 the operator of which has been licensed pursuant to paragraph

1 (a) must maintain and report such statistical data as required
2 by, and in a manner set forth in, the rules of the commission.

3 (16) FRESHWATER VESSEL LICENSE PILOT PROGRAM.--The
4 Fish and Wildlife Conservation Commission shall establish a
5 1-year nonmandatory freshwater vessel license program to be
6 implemented by July 1, 2004. Any person operating a vessel
7 wherein a fee is paid, either directly or indirectly, for the
8 purpose of taking, attempting to take, or possessing any
9 freshwater fish for noncommercial purposes may obtain a
10 license for each vessel for that purpose. The fees and
11 categories for freshwater vessel licenses shall be the same
12 fees and categories as those established for saltwater vessel
13 licenses in subsection (7). A freshwater vessel license issued
14 under this subsection must be identified as such and may be
15 transferred only to other freshwater vessels. A freshwater
16 vessel license issued under this subsection is nonrenewable
17 and expires 1 year after the date of issuance. This subsection
18 expires July 1, 2005, unless the Legislature establishes a new
19 freshwater vessel licensing program or extends this program.

20 (17) VESSEL LICENSE TASK FORCE.--

21 (a) The Vessel License Task Force is created within
22 the Fish and Wildlife Conservation Commission for the purpose
23 of reviewing the commission's vessel license programs to
24 determine if vessel licenses for saltwater and freshwater
25 vessels should be mandatory or permissive licenses; if the
26 vessel license program should be repealed; if vessel license
27 fees are sufficient to offset commission revenues lost from
28 the sale of nonresident individual saltwater and freshwater
29 fishing licenses; and to determine a fair and equitable fee
30 for vessel licenses if the task force determines that revenues

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1 do offset losses and that the vessel license programs should
2 not be repealed.

3 (b) The Vessel License Task Force shall be composed of
4 7 members and must include one member representing the Florida
5 Guides Association, two members licensed as a captain by the
6 United States Coast Guard to represent full-time freshwater
7 fishing guides, one member representing part-time freshwater
8 fishing guides, one member licensed as a captain by the United
9 States Coast Guard to represent full-time saltwater fishing
10 guides, one member representing part-time saltwater fishing
11 guides, and one representative from the Fish and Wildlife
12 Conservation Commission with knowledge of the commission's
13 vessel licensing program who shall serve as chair of the task
14 force. Members of the task force shall serve without
15 compensation.

16 (c) The task force shall meet at the call of the
17 chair, or at the request of a majority of its members. Staff
18 of the commission shall serve as staff to the task force.

19 (d) By February 1, 2005, the task force shall submit
20 written recommendations to the Fish and Wildlife Conservation
21 Commission so that the commission may consider including the
22 recommendations as part of the commission's 2005 legislative
23 agenda. Copies of the written recommendations shall also be
24 submitted to the staff of the natural resources committees and
25 the appropriations committees of the Senate and the House of
26 Representatives.

27 (e) This subsection expires July 1, 2005.

28 Section 3. Paragraphs (i) and (j) of subsection (2) of
29 section 372.562, Florida Statutes, are amended to read:

30 372.562 Recreational licenses and permits; exemptions
31 from fees and requirements.--

1 (2) A hunting, freshwater fishing, or saltwater
2 fishing license or permit is not required for:

3 (i) Any person fishing from a vessel licensed pursuant
4 to s. 372.57(7) or (16).

5 (j) Any person fishing from a vessel the operator of
6 which is licensed pursuant to s. 372.57(7) or (16).

7 Section 4. This act shall take effect upon becoming a
8 law.

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11 SENATE SUMMARY

12 Provides that revenues from the sale of freshwater vessel
13 licenses be deposited into the State Game Trust Fund.
14 Creates the Freshwater Vessel License Pilot Program
15 within the Fish and Wildlife Conservation Commission.
16 Provides nonmandatory license fees. Creates a Vessel
17 License Task Force within the commission. Provides for
18 exemptions from certain fees and requirements for persons
19 fishing from or operating a freshwater vessel.
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