

By the Committee on Military and Veterans' Affairs, Base Protection, and Spaceports; and Senator Jones

301-2369-04

1                                   A bill to be entitled  
2           An act relating to the Great Florida  
3           Wrek-reation Diving Trail Act; providing a  
4           popular name; providing purpose of the act;  
5           creating the Florida MARAD and U.S. Navy Vessel  
6           Placement Commission; providing membership and  
7           organization of the commission; providing  
8           duties of the commission; providing for  
9           interagency comments; providing for the  
10          expiration of the commission; providing an  
11          effective date.

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13           WHEREAS, in the past, the United States Navy has used  
14          unneeded ships as targets for military exercises known as  
15          sinking exercises, and

16           WHEREAS, now the Navy has devised an alternative means  
17          of disposing of obsolete Navy vessels which allows the vessels  
18          to serve in a productive capacity for hundreds of years past  
19          their intended use, and

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

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

26           WHEREAS, the measure allows the Navy to accomplish the  
27          overall process for cost-effective donation transfer of  
28          available naval vessels, and

29           WHEREAS, the United States Maritime Administration  
30          (MARAD) will coordinate federal agency solicitation and

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1 application for obtaining the vessels for use as artificial  
2 reefs, and

3 WHEREAS, the donation and transfer application for all  
4 Navy and MARAD ships available for use as artificial reefs may  
5 be submitted only by states, commonwealths, and territories  
6 and possessions of the United States, or municipal  
7 corporations or political subdivisions thereof, and

8 WHEREAS, the program provides a practical option for  
9 disposing of inactive naval vessels in a cost-effective and  
10 environmentally sound manner that can also promote ecotourism  
11 associated with recreational diving and fishing in Florida,  
12 NOW, THEREFORE,

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

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

19 (2) PURPOSE.--The purpose of the Great Florida  
20 Wrek-reation Diving Trail Act is to promote ecotourism  
21 associated with recreational diving and fishing in Florida  
22 through the placement of United States Maritime Administration  
23 (MARAD) and United States Navy decommissioned vessels in  
24 Florida waters as artificial reefs. The commission shall be  
25 considered the artificial reef coordinator for Florida for  
26 purposes of the United States Department of Transportation  
27 transfer of obsolete MARAD and Navy vessels program.

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

1           (4) MEMBERSHIP.--The commission shall consist of five  
2 members, three of whom shall represent recreational scuba  
3 diving in Florida, one of whom shall be appointed by the  
4 President of the Senate, one of whom shall be appointed by the  
5 Speaker of the House of Representatives, and one of whom shall  
6 be appointed by the Governor. The remaining two members shall  
7 represent recreational fishing interests and the tourism  
8 industry in Florida, one of whom shall be appointed by the  
9 President of the Senate, and one of whom shall be appointed by  
10 the Speaker of the House of Representatives. When making  
11 appointments to the commission, the President of the Senate,  
12 the Speaker of the House of Representatives, and the Governor  
13 shall appoint persons who are residents of the state. Members  
14 shall be appointed in such a manner as to equitably represent  
15 different geographic areas of the state. The initial  
16 appointments shall be made no later than September 1, 2004.

17           (5) ORGANIZATION.--The Governor shall designate one  
18 member of the commission as its chair. Vacancies in membership  
19 of the commission shall be filled in the same manner as the  
20 original appointments.

21           (a) The commission shall meet at least quarterly. A  
22 majority of the members shall constitute a quorum for the  
23 purpose of conducting business.

24           (b) The commission shall establish procedures for its  
25 operations, including notices of meetings and the application  
26 process.

27           (c) The members of the commission shall serve without  
28 compensation, but are entitled to per diem and travel expenses  
29 pursuant to section 112.061, Florida Statutes, while in the  
30 performance of their duties.

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1           (d) Each member of the commission shall file full and  
2 public disclosure of financial interests at the times and  
3 places and in the same manner required of elected  
4 constitutional officers under Section 8 of Article II of the  
5 State Constitution and any law implementing that provision.

6           (6) DUTIES.--The commission shall review applications  
7 from Florida counties and municipalities for placement of  
8 MARAD and U.S. Navy decommissioned vessels in Florida waters  
9 as artificial reefs. The commission shall receive donation  
10 transfer applications for such vessels and, using the Maritime  
11 Administration application evaluation criteria, as amended,  
12 shall recommend to the Governor sites within the state for  
13 placement of such vessels. The commission shall develop a  
14 master site plan for the purposes of maximizing the number and  
15 type of vessels for placement in Florida waters. Criteria  
16 shall include placement of vessels in a geographically  
17 dispersed manner.

18           (7) INTERAGENCY COMMENTS.--The commission shall  
19 request and receive interagency comments from the local  
20 artificial reef permitting agencies, the Department of  
21 Environmental Protection, and the Fish and Wildlife  
22 Conservation Commission, allowing a review period consistent  
23 with MARAD and U.S. Navy application deadlines. Interagency  
24 comments on submitted applications must be limited to that  
25 agency's area of responsibility.

26           (8) TERM.--The commission shall expire on December 31,  
27 2006, unless reenacted by the Legislature.

28           Section 2. This act shall take effect upon becoming a  
29 law.  
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
Senate Bill 2520

The CS provides for the placement of the Commission within the Office of Tourism, Trade, and Economic Development.

The CS revises the membership of the Commission to provide for the appointment of one representative of recreational fishing interests, and one representative of the tourism industry.

The CS clarifies the organization and operation of the Commission, and provides for the termination of the Commission on December 31, 2006, unless reenacted by the Legislature.