

1                                   A bill to be entitled  
2           An act relating to the Great Florida  
3           Wreck-reaction 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 Council within the Office of Tourism,  
7           Trade, and Economic Development; providing  
8           membership, organization, administrative  
9           support, and duties of the council; providing  
10          that the council is subject to public records  
11          and public meetings requirements; requiring the  
12          council to request and receive interagency  
13          comments; providing for expiration of the  
14          council; providing for transfer of documents  
15          and remaining assets of the council; providing  
16          an effective date.

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

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

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

28           WHEREAS, the process of using obsolete vessels as  
29          man-made artificial reefs not only promotes marine life and  
30          fishing but relieves pressures on natural coral reefs, and  
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1           WHEREAS, the measure allows the Navy to accomplish the  
2 overall process for cost-effective donation transfer of  
3 available naval vessels, and

4           WHEREAS, the United States Maritime Administration  
5 (MARAD) will coordinate federal agency solicitation and  
6 application for obtaining the vessels for use as artificial  
7 reefs, and

8           WHEREAS, the donation and transfer application for all  
9 Navy and MARAD ships available for use as artificial reefs may  
10 be submitted only by states, commonwealths, and territories  
11 and possessions of the United States, or municipal  
12 corporations or political subdivisions thereof, and

13           WHEREAS, the program provides a practical option for  
14 disposing of inactive naval vessels in a cost-effective and  
15 environmentally sound manner that can also promote ecotourism  
16 associated with recreational diving and fishing in Florida,  
17 NOW, THEREFORE,

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

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

24           (2) PURPOSE.--The purpose of the Great Florida  
25 Wrek-reation Diving Trail Act is to promote ecotourism  
26 associated with recreational diving and fishing in Florida  
27 through the placement of United States Maritime Administration  
28 (MARAD) and United States Navy decommissioned vessels in  
29 Florida waters as artificial reefs.

30           (3) FLORIDA MARAD AND U.S. NAVY VESSEL PLACEMENT  
31 COUNCIL; CREATION.--There is created within the Office of

1 Tourism, Trade, and Economic Development the Florida MARAD and  
2 U.S. Navy Vessel Placement Council, which is a council as  
3 defined in section 20.03, Florida Statutes.

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

18 (5) ORGANIZATION.--

19 (a) The Governor shall designate one member of the  
20 council as its chair. Vacancies in membership of the council  
21 shall be filled in the same manner as the original  
22 appointments.

23 (b) The council shall meet at least quarterly. A  
24 majority of the members shall constitute a quorum for the  
25 purpose of conducting business.

26 (c) The council shall establish procedures for its  
27 operations, including notice procedures for council meetings  
28 and procedures with respect to the application process under  
29 subsection (7).

30 (d) Members of the council shall serve without  
31 compensation but shall be entitled to per diem and travel

1 expenses pursuant to section 112.061, Florida Statutes, while  
2 in the performance of their duties.

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

8 (f) Records and meetings of the council shall be  
9 subject to the requirements of the public records law and  
10 public meetings law in chapters 119 and 286, Florida Statutes,  
11 respectively.

12 (g) Members are subject to the dual-office-holding  
13 prohibition of Section 5(a), Article II of the State  
14 Constitution.

15 (6) ADMINISTRATIVE SUPPORT.--The Office of Tourism,  
16 Trade, and Economic Development shall provide administrative  
17 support to the council for all of its activities. The council  
18 is authorized to accept private donations to support council  
19 activities. The council shall maintain a complete financial  
20 record of all donations and expenditures, and shall file a  
21 financial report with the Auditor General annually that  
22 documents such donations and expenditures.

23 (7) DUTIES.--

24 (a) The council shall be the artificial reef  
25 coordinator for Florida for purposes of the United States  
26 Department of Transportation transfer of obsolete MARAD and  
27 Navy vessels program.

28 (b) The council shall review applications from Florida  
29 counties and municipalities for placement of MARAD and U.S.  
30 Navy decommissioned vessels in Florida waters as artificial  
31 reefs.

1       (c) The council shall receive donation transfer  
2 applications for such vessels and, using federal evaluation  
3 criteria, shall recommend to the Governor sites within the  
4 state for placement of such vessels.

5       (d) The council shall develop a master site plan for  
6 the purposes of maximizing the number and type of vessels for  
7 placement in Florida waters. Criteria shall include placement  
8 of vessels in a geographically dispersed manner.

9       (8) INTERAGENCY COMMENTS.--The council shall request  
10 and receive interagency comments from local artificial reef  
11 permitting agencies, the Department of Environmental  
12 Protection, and the Fish and Wildlife Conservation Commission,  
13 allowing a review period consistent with MARAD and U.S. Navy  
14 application deadlines. Interagency comments on submitted  
15 applications must be limited to that agency's area of  
16 responsibility.

17       (9) TERM.--The council shall expire on December 31,  
18 2006, unless reenacted by the Legislature. Prior to  
19 termination, all documents and all remaining assets of the  
20 council shall be transferred to the Office of Tourism, Trade,  
21 and Economic Development, pursuant to section 20.052, Florida  
22 Statutes.

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

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