

By the Committee on Finance and Taxation; and Senator Lawson

314-2466-04

1 A bill to be entitled
 2 An act relating to the taking of fish and
 3 shellfish; amending s. 370.14, F.S.; increasing
 4 the fee for the trap number required for
 5 commercial crawfish trapping; providing for the
 6 use of a portion of the fee; amending s.
 7 370.143, F.S.; clarifying that crawfish traps
 8 are included in the trap retrieval program of
 9 the Fish and Wildlife Conservation Commission;
 10 assessing crawfish trap owners the retrieval
 11 fee assessed other trap owners; providing for
 12 waiver of the retrieval fee under certain
 13 circumstances; providing for the use of
 14 revenues from retrieval fees; requiring payment
 15 of retrieval fees before a license is renewed;
 16 providing an effective date.

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

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 20 Section 1. Subsections (2) and (6) of section 370.14,
 21 Florida Statutes, are amended to read:

22 370.14 Crawfish; regulation.--

23 (2)(a)1. Each person taking or attempting to take
 24 crawfish with a trap in commercial quantities or for
 25 commercial purposes shall obtain and exhibit a crawfish trap
 26 number, as required by the Fish and Wildlife Conservation
 27 Commission. The annual fee for a crawfish trap number is \$125.
 28 ~~Each trap used for taking or attempting to take crawfish must~~
 29 ~~have a trap number permanently attached to the trap and the~~
 30 ~~buoy. This trap number may be issued by the Fish and Wildlife~~
 31 ~~Conservation~~ commission upon the receipt of application by the

1 person when ~~owner of the traps and~~ accompanied by the payment
2 of the fee ~~a fee of \$100~~. The design of the applications and
3 of the trap number shall be determined by the commission. Any
4 trap or device used in taking or attempting to take crawfish,
5 other than a trap with the trap number ~~attached as prescribed~~
6 ~~in this paragraph~~, shall be seized and destroyed by the
7 commission. The proceeds of the fees imposed by this paragraph
8 shall be deposited and used as provided in paragraph (b). The
9 commission may adopt rules to carry out the intent of this
10 section.

11 2. Each person taking or attempting to take crawfish
12 in commercial quantities or for commercial purposes by any
13 method, other than with a trap having a crawfish trap number
14 issued by the commission, must pay an annual fee of \$100.

15 (b) Twenty-five dollars of the \$125 fee for a crawfish
16 trap number required under subparagraph (a)1. must be used
17 only for trap retrieval as provided in s. 370.143. The
18 remainder of the fees collected pursuant to paragraph (a)
19 shall be deposited as follows:

20 1. Fifty percent of the fees collected shall be
21 deposited in the Marine Resources Conservation Trust Fund for
22 use in enforcing the provisions of paragraph (a) through
23 aerial and other surveillance and trap retrieval.

24 2. Fifty percent of the fees collected shall be
25 deposited as provided in s. 370.142(5)~~s. 370.142(6)~~.

26 ~~(6) A person who takes more crawfish per boat or per~~
27 ~~person than that number set therefor by rule of the Fish and~~
28 ~~Wildlife Conservation Commission for recreational harvesters~~
29 ~~within any 24-hour period by any method other than with traps~~
30 ~~or similar devices must also pay a fee of \$100 and obtain a~~
31 ~~trap number to be displayed on his or her boat.~~

1 Section 2. Section 370.143, Florida Statutes, is
2 amended to read:

3 370.143 Retrieval of lobster, crawfish, and stone crab
4 traps during closed season; commission authority; fees.--

5 (1) The Fish and Wildlife Conservation Commission is
6 authorized to implement a trap retrieval program for retrieval
7 of lobster, crawfish, and stone crab traps remaining in the
8 water during the closed season for each species. The
9 commission is authorized to contract with outside agents for
10 the program operation.

11 (2) A retrieval fee of \$10 per trap retrieved shall be
12 assessed trap owners. However, for each person ~~persons~~
13 holding a crawfish stamp number or a stone crab endorsement
14 issued under rule of the ~~Fish and Wildlife Conservation~~
15 commission, the retrieval fee shall be waived for the first
16 five traps retrieved. Traps recovered under this program shall
17 become the property of the commission or its contract agent,
18 as determined by the commission, and shall be either destroyed
19 or resold to the original owner. Revenue from retrieval fees
20 shall be deposited in the Marine Resources Conservation Trust
21 Fund and used solely for operation of the trap retrieval
22 program.

23 (3) Payment of all assessed retrieval fees shall be
24 required prior to renewal of the trap owner's saltwater
25 products license and stone crab and or crawfish endorsements.
26 Retrieval fees assessed under this program shall stand in lieu
27 of other penalties imposed for such trap violations.

28 (4) In the event of a major natural disaster in an
29 area declared by the Governor to be a disaster emergency area,
30 such as a hurricane or major storm causing massive trap
31 losses, the commission shall waive the trap retrieval fee.

1 Section 3. This act shall take effect July 1, 2004.

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3 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
4 COMMITTEE SUBSTITUTE FOR
5 SB 2736

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The committee substitute removed the increase in
nonresidential fishing licenses fees.

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