

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 276
 SPONSOR: Senator Wise
 SUBJECT: Vessel Registration Requirements
 DATE: March 16, 2004 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Davis	Meyer	TR	Favorable
2.	_____	_____	FT	_____
3.	_____	_____	RC	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The State of Florida requires the registration of most water-borne vessels, subject to fees ranging from \$3.50 to \$122.50, based on vessel length. Exempted from registration fees are vessels certified as antique by the Florida Department of Highway Safety and Motor Vehicles (DHSMV), and vessels owned by several charitable or not-for-profit organizations.

The bill seeks to reinstate the vessel registration-fee exemption for Safe Harbor Haven, Inc., a Jacksonville based organization that includes among its programs a residential education and counseling program for troubled teenaged boys. The exemption was removed and replaced with one for the group that accredits the boys' home operated by Safe Harbor Haven, Inc. That action resulted in Safe Harbor Haven, Inc., losing its exemption status for other vessels it owns but which are not directly affiliated with the boy's home, thus having to pay about \$2,500 in registration fees for those vessels.

This bill substantially amends section 328.72 of the Florida Statutes.

II. Present Situation:

State Vessel Registration Fees

Pursuant to s. 328.72, F.S., all Florida-based watercraft, except non-motorized canoes, must be registered with the DHSMV. With few exceptions, all watercraft must pay an annual registration fee, typically based on vessel length. The fee ranges from \$3.50 for all watercraft less than 12 feet long and for all motorized canoes, to \$122.50 for vessels that are at least 110 feet long.

Additionally, other fees and charges may be assessed, including a \$1 surcharge on all registrations to help pay for law enforcement radio equipment, and a \$2.25 service fee collected by the county tax collectors.

Exempt from paying vessel registration fees, pursuant to s.328.72(14), F.S., are: Vessels owned and operated by Sea Explorer or Sea Scout units of the Boy Scouts of America, the Girl Scouts of America, the Florida Association of Christian Child Caring Agencies, Inc., or the Associated Marine Institutes, Inc., and its affiliates, or which are certified as “antique vessels.” Such vessels are issued certificates of registration and numbers upon application and payment of the \$2.25 service fee.

According to DHSMV’s most current registration records (fiscal year 01-02), there are 886,351 recreational and commercial vessels registered in Florida. Registration fee revenues were nearly \$5.5 million. Some 2,314 vessels were exempted from having to pay registration fees: 2,032 designated as antique vessels; 183 owned by the Associated Marine Institutes; 62 owned by the Boy Scouts and three owned by the Girl Scouts; and 34 owned by the Florida Association of Christian Child Care charities.

Safe Harbor Haven, Inc.

Safe Harbor Haven, Inc., was founded in 1984 as a not-for-profit operation. The organization receives no public funds. Instead, it accepts private donations to defray its operating costs. Its land-based facilities are on property leased from the Jacksonville Port Authority and the Jacksonville Electric Authority.

The organization operates the Safe Harbor Boy’s Home, a residential facility for 15 teenage boys who receive schooling, vocational education, and mental health counseling. Safe Harbor admits boys aged 15 to 17 who are fatherless or who have lost one or more parents to death, and those who are experiencing behavior problems in home and at school. Referrals are accepted from the professional mental health community, the court system, pastors, relatives, and friends.

The boys live aboard former U.S. Navy and U.S. Coast Guard vessels anchored in the St. Johns River, learning seamanship skills. All boys must be able to pass a swimming exam as a condition of admission. According to the organization’s website, the boys receive vocational training, and training in other life skills, such as driver education, job application skills, how to establish and maintain banking accounts and credit, and basic cooking, grocery-shopping, laundry, and housekeeping skills. Some of the boys graduate from the organization’s Safe Harbor Academy, a registered private high school, while others attend the organization’s GED preparatory programs.

According to Safe Harbor Haven’s executive director, over the 20 years of its existence, about 90 percent of the teenagers have successfully turned their lives around. Besides the boys home and the academy, Safe Harbor Haven’s not-for-profit activities include sailboat and power-boat training courses.

Safe Harbor Haven is one of about two dozen youth group home organizations accredited by the

Florida Association of Christian Child Caring Agencies Inc., a nonprofit organization created in 1982, that oversees the provisions of s. 409.176, F.S. That section of law provides for registration of faith-based residential child-care agencies and family foster homes.

History of Organization's Exemption

The Legislature in 1997, amended state law to add Safe Harbor Haven, Inc., to the list of organizations exempt from paying vessel-registration fees. In 1999, Safe Harbor Haven, Inc., was removed and the Florida Association of Christian Child Caring Agencies, Inc., was added. Safe Harbor Haven, Inc., representatives say they were unaware of this until after the legislation became law. They surmise that Safe Harbor Haven, Inc., was removed because it was believed adding Christian Child Caring Agencies, Inc., its accrediting agency, would cover all of Safe Harbor Haven, Inc.'s boats. In fact, only the vessels directly used for the boys' housing and schooling remained exempt.

III. Effect of Proposed Changes:

The bill restores Safe Harbor Haven, Inc., to the list of organizations that are exempt from having to pay vessel-registration fees on all of the vessels in all of its not-for-profit programs.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill will have an indeterminate, but likely minimal, positive financial impact on Safe Harbor Haven, Inc.

C. Government Sector Impact:

Indeterminate, but likely minimal. Based on comments from Safe Harbor Haven, Inc.'s executive director, the loss of revenue from the exemption granted in SB 276 would be

mostly offset if the organization pays registration fees on other vessels it owns but which are not part of its not-for-profit activities.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
