

By Senator Bennett

21-236A-04

1 A bill to be entitled
2 An act relating to manatee protection; amending
3 s. 370.1201, F.S.; requiring the Fish and
4 Wildlife Conservation Commission to implement a
5 manatee population research study; providing
6 legislative intent regarding subject areas of
7 manatee research; providing program goals for
8 manatee population research relating to policy
9 decisions based on sound scientific data;
10 requiring that certain issues be studied in the
11 manatee population research program; directing
12 the commission to contract with Mote Marine
13 Laboratory to conduct the research study;
14 directing that an annual report be made to the
15 Governor, Legislature, and commission which
16 includes recommendations based upon study
17 results; requiring an annual audit; providing a
18 source of funds; providing an appropriation;
19 providing an effective date.

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

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23 Section 1. Section 370.1201, Florida Statutes, is
24 amended to read:

25 370.1201 Manatee protection; intent; conduct of
26 studies; initiatives and plans.--It is the intent of the
27 Legislature that the commission request the necessary funding
28 and staffing through a general revenue budget request to
29 ensure that manatees receive the maximum protection possible.
30 The Legislature recognizes that strong manatee protection
31 depends upon consistently achieving a high degree of

1 compliance with existing and future rules. The commission
2 shall conduct standardized studies to determine levels of
3 public compliance with manatee protection rules, and shall use
4 the results of the studies, together with other relevant
5 information, to develop and implement strategic law
6 enforcement initiatives and boater education plans. Drawing
7 upon information obtained from the compliance studies and the
8 implementation of enforcement initiatives together with boater
9 education plans, the commission shall identify any impediments
10 in consistently achieving high levels of compliance, and
11 adjust their enforcement and boater education efforts
12 accordingly.

13 (1)(a) The commission shall implement and administer
14 an ongoing manatee population research study. The research
15 study is designed to increase knowledge of the factors that
16 determine the size and distribution of the manatee population
17 in the waters of this state and to use this knowledge to
18 develop policies to ensure that manatee populations receive
19 the maximum protection possible while also allowing optimum
20 recreational use of the state's waterways.

21 (b) The Legislature intends the research program to
22 address areas of manatee-habitat information that have not
23 been adequately covered in other research programs or in
24 studies of shorter duration.

25 (c) The goal of the research program is to enable
26 resource managers, state and local policymakers, and the
27 public to undertake sustained efforts to develop sound
28 scientific policy to protect manatees, while also permitting
29 maximum use of the state's waterways without endangering the
30 manatee population.

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1 (2) The manatee population research study must
2 include, but need not be limited to:

3 (a) Conducting an annual census of the manatee
4 population which identifies the number of manatees in this
5 state's waters and assesses the manatee mortality pattern in
6 state waters.

7 (b) Describing the size and quality of the manatees'
8 environmental habitat and assessing the environmental and
9 other conditions affecting the habitat.

10 (c) Surveying the size and condition of the state's
11 sea grass beds and determining the ideal manatee population
12 that the sea grass beds can support. This assessment must
13 include the rate of consumption of the sea grass beds by the
14 manatees and the impact that consumption has on the diminution
15 of the sea grass beds.

16 (d) Projecting the size of the future manatee
17 population and how that population will affect the size and
18 health of the sea grass beds.

19 (e) Assessing the manatee population that congregates
20 at warm water discharge portals at power plants and the risk
21 for potential diseases from the increased congregation of
22 manatees at these sites.

23 (f) Assessing the health and reproductive capacity of
24 the manatees and describing the current and future factors
25 affecting their health and reproduction.

26 (g) Developing research, monitoring, and implantation
27 priorities for manatee habitat in this state, including
28 stabilization, maintenance, and propagation of seagrass beds.

29 (h) Studying boat traffic patterns in state waters and
30 evaluating boater compliance with existing boating laws and
31 regulations designed to protect manatees.

1 (i) Developing recommendations that can be implemented
2 by state and local governments to improve manatee habitat,
3 develop protection zones for manatees, and maximize the size
4 of safe boating areas for recreational use of state waterways.

5 (3)(a) The commission shall contract with the Mote
6 Marine Laboratory to conduct the manatee population research
7 study.

8 (b) The Mote Marine Laboratory shall submit an annual
9 report to the Governor, the Legislature, and the commission by
10 February 1 of each year. The annual report shall detail the
11 progress of the research program and shall include, when
12 appropriate, recommendations for developing state and local
13 policies to increase the manatee population and improve
14 boating opportunities.

15 (c) The commission shall ensure that funds allocated
16 under this section are expended in a manner that is consistent
17 with the requirements of this section. The commission may
18 require an annual audit of the expenditures and shall provide
19 a report to the Legislature by March 1 of each year.

20 (d) The manatee population research study shall be
21 funded from moneys deposited into the Manatee Population Study
22 Trust Fund.

23 Section 2. The sum of \$1.5 million is appropriated
24 from the Marine Fuel Tax and the sum of \$1.5 million is
25 appropriated from the Save the Manatee Trust Fund to the Fish
26 and Wildlife Conservation Commission for the purpose of
27 implementing this act during the 2004-2005 fiscal year.

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

Requires the Fish and Wildlife Conservation Commission to implement the manatee population research study. Provides legislative intent regarding subject areas of manatee research. Provides for issues to be studied in the research program. Directs the commission to contract with a specified marine laboratory. Directs that an annual report be made to specified persons and entities. Requires an annual audit. Provides an appropriation.