

CHAMBER ACTION

1 The Environmental Regulation Committee recommends the following:

2  
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to the Fish and Wildlife Conservation  
7 Commission; amending s. 327.803, F.S.; revising the  
8 membership of the Boating Advisory Council; increasing the  
9 terms of office of members appointed by the Governor and  
10 limiting the number of consecutive terms they may serve;  
11 adding issues upon which the council makes recommendations  
12 to the commission and the Department of Community Affairs;  
13 authorizing reimbursement of expenses for members of the  
14 council; providing for the filling of vacancies; providing  
15 for members of the council to be removed for cause;  
16 amending s. 370.06, F.S.; providing for receipt of a  
17 saltwater products license issued by the commission to a  
18 firm or corporation; revising a provision barring transfer  
19 of a saltwater products license; revising a provision  
20 regarding the annual fee that an individual, firm, or  
21 corporation must pay for a license; providing for an  
22 increase in annual saltwater products license fees;  
23 providing definitions; amending s. 370.13, F.S.; reducing

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24 | stone crab trap certificate transfer fees; reducing  
 25 | surcharge fees; amending s. 372.574, F.S.; requiring  
 26 | subagents to provide individuals purchasing certain  
 27 | licenses the opportunity to register to vote or update  
 28 | voter registration information; requiring subagents to  
 29 | transmit completed forms to the supervisors of elections  
 30 | in their respective counties; requiring the supervisor of  
 31 | elections in each county to provide such forms; repealing  
 32 | s. 372.674, F.S., relating to environmental education and  
 33 | the Advisory Council on Environmental Education; amending  
 34 | s. 372.672, F.S., relating to the Florida Panther Research  
 35 | and Management Trust Fund, to conform; providing an  
 36 | effective date.

37 |

38 | Be It Enacted by the Legislature of the State of Florida:

39 |

40 | Section 1. Section 327.803, Florida Statutes, is amended  
 41 | to read:

42 | 327.803 Boating Advisory Council.--

43 | (1) The Boating Advisory Council is created within the  
 44 | Fish and Wildlife Conservation Commission and shall be composed  
 45 | of 18 ~~17~~ members. The members include:

46 | (a) One representative from the Fish and Wildlife  
 47 | Conservation Commission, who shall serve as the chair of the  
 48 | council.

49 | (b) One representative each from the Department of  
 50 | Environmental Protection, the United States Coast Guard

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51 Auxiliary, the United States Power Squadron, and the inland  
52 navigation districts.

53 (c) One representative of manatee protection interests,  
54 one representative of the marine industries, one representative  
55 ~~two representatives~~ of water-related environmental groups, one  
56 representative of canoe or kayak enthusiasts, one representative  
57 of marine manufacturers, one representative of commercial vessel  
58 owners or operators, one representative of marine special events  
59 ~~sport boat racing~~, one representative actively involved and  
60 working full-time in the scuba diving industry who has  
61 experience in recreational boating, one representative of either  
62 the commercial fishing industry or the commercial shellfishing  
63 industry, and two representatives of the boating public, each of  
64 whom shall be nominated by the executive director of the Fish  
65 and Wildlife Conservation Commission and appointed by the  
66 Governor to serve staggered 3-year ~~2-year~~ terms. Members  
67 appointed by the Governor may serve no more than two full  
68 consecutive terms.

69 (d) One member of the House of Representatives, who shall  
70 be appointed by the Speaker of the House of Representatives.

71 (e) One member of the Senate, who shall be appointed by  
72 the President of the Senate.

73 (2) The council shall meet at the call of the chair, at  
74 the request of a majority of its membership, or at such times as  
75 may be prescribed by rule.

76 (3) The purpose of the council is to make recommendations  
77 to the Fish and Wildlife Conservation Commission and the  
78 Department of Community Affairs regarding issues affecting the

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79 boating community, including, but not limited to, issues related  
80 to:

81 (a) Boating and diving safety education.

82 (b) Boating-related facilities, including marinas and boat  
83 testing facilities.

84 (c) Boat usage.

85 (d) Boat access.

86 (e) Working waterfronts.

87 (4) Members of the council shall serve without  
88 compensation but are entitled to reimbursement of expenses as  
89 provided in s. 112.061.

90 (5) A vacancy on the council shall be filled for the  
91 remainder of the unexpired term in the same manner as the  
92 original appointment. Members whose terms have expired may  
93 continue to serve until replaced or reappointed.

94 (6) Members of the council may be removed for cause.

95 Section 2. Paragraphs (d) and (e) of subsection (2) of  
96 section 370.06, Florida Statutes, are amended to read:

97 370.06 Licenses.--

98 (2) SALTWATER PRODUCTS LICENSE.--

99 (d) A saltwater products license may be issued in the name  
100 of an individual or a valid commercial vessel ~~boat~~ registration  
101 number. However, a firm or corporation may only receive a  
102 license issued to a valid commercial vessel registration number.  
103 A saltwater products license may not be transferred by the  
104 licenseholder to another individual, firm, or corporation. ~~Such~~  
105 ~~license is not transferable.~~ A decal shall be issued with each  
106 saltwater products license issued to a valid commercial vessel

107 | ~~boat~~ registration number. The saltwater products license decal  
 108 | shall be the same color as the vessel registration decal issued  
 109 | each year pursuant to s. 328.48(5) and shall indicate the period  
 110 | of time such license is valid. The saltwater products license  
 111 | decal shall be placed beside the vessel registration decal and,  
 112 | in the case of an undocumented vessel, shall be placed so that  
 113 | the vessel registration decal lies between the commercial vessel  
 114 | registration number and the saltwater products license decal.  
 115 | Any saltwater products license decal for a previous year shall  
 116 | be removed from a vessel operating on the waters of the state.

117 | (e) The annual fee for a saltwater products license is:

118 | 1. For a license issued in the name of an individual which  
 119 | authorizes only that individual to engage in commercial fishing  
 120 | activities from the shore or a vessel: a resident must pay \$50;  
 121 | a nonresident must pay \$200; or an alien must pay \$300.

122 | 2. For a license issued in the name of an individual which  
 123 | authorizes that named individual to engage in commercial fishing  
 124 | activities from the shore or a vessel and also authorizes each  
 125 | person who is fishing with the named individual aboard a vessel  
 126 | to engage in such activities: a resident must pay \$150; a  
 127 | nonresident must pay \$600; or an alien must pay \$900.

128 | 3. For a license issued to a valid commercial vessel  
 129 | registration number which authorizes each person aboard such  
 130 | registered vessel to engage in commercial fishing activities: a  
 131 | resident, or a resident firm or corporation, must pay \$100; a  
 132 | nonresident, or a nonresident firm or corporation, must pay  
 133 | \$400; or an alien, or an alien firm or corporation, must pay  
 134 | \$600. For purposes of this subparagraph, a resident firm or

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135 corporation means a firm or corporation formed under the laws of  
 136 this state; a nonresident firm or corporation means a firm or  
 137 corporation formed under the laws of any state other than  
 138 Florida; and an alien firm or corporation means a firm or  
 139 corporation organized under any laws other than laws of the  
 140 United States, any United States territory or possession, or any  
 141 state of the United States. A resident shall pay an annual  
 142 license fee of \$50 for a saltwater products license issued in  
 143 the name of an individual or \$100 for a saltwater products  
 144 license issued to a valid boat registration number. A  
 145 nonresident shall pay an annual license fee of \$200 for a  
 146 saltwater products license issued in the name of an individual  
 147 or \$400 for a saltwater products license issued to a valid boat  
 148 registration number. An alien shall pay an annual license fee of  
 149 \$300 for a saltwater products license issued in the name of an  
 150 individual or \$600 for a saltwater products license issued to a  
 151 valid boat registration number.

152 Section 3. Paragraph (b) of subsection (1) of section  
 153 370.13, Florida Statutes, is amended to read:

154 370.13 Stone crab; regulation.--

155 (1) FEES AND EQUITABLE RENT.--

156 (b) Certificate fees.--

157 1. For each trap certificate issued by the commission  
 158 under the requirements of the stone crab trap limitation program  
 159 established by commission rule, there is an annual fee of \$.50  
 160 per certificate. Replacement tags for lost or damaged tags cost  
 161 \$.50 each, except that tags lost in the event of a major natural  
 162 disaster declared as an emergency disaster by the Governor shall

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163 | be replaced for the cost of the tag as incurred by the  
164 | commission.

165 |       2. The fee for transferring trap certificates is \$1 per  
166 | certificate transferred, except that the fee for eligible crew  
167 | members is 50 cents per certificate transferred. ~~Except for~~  
168 | ~~transfers to~~ Eligible crew members shall be as determined  
169 | according to criteria established by rule of the commission, ~~the~~  
170 | ~~fee for transferring certificates is \$2 per certificate~~  
171 | ~~transferred to be paid by the purchaser of the certificate or~~  
172 | ~~certificates. The transfer fee for eligible crew members is \$1~~  
173 | ~~per certificate.~~ Payment must be made by money order or  
174 | cashier's check, submitted with the certificate transfer form  
175 | developed by the commission.

176 |       3. In addition to the transfer fee, a surcharge of \$1 ~~\$2~~  
177 | per certificate transferred, or 25 percent of the actual value  
178 | of the transferred certificate, whichever is greater, will be  
179 | assessed the first time a certificate is transferred outside the  
180 | original holder's immediate family.

181 |       4. Transfer fees and surcharges only apply to the actual  
182 | number of certificates received by the purchaser. A transfer of  
183 | a certificate is not effective until the commission receives a  
184 | notarized copy of the bill of sale as proof of the actual value  
185 | of the transferred certificate or certificates, which must also  
186 | be submitted with the transfer form and payment.

187 |       5. A transfer fee will not be assessed or required when  
188 | the transfer is within a family as a result of the death or  
189 | disability of the certificate owner. A surcharge will not be

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190 assessed for any transfer within an individual's immediate  
191 family.

192 Section 4. Subsection (4) is added to section 372.574,  
193 Florida Statutes, to read:

194 372.574 Appointment of subagents for the sale of hunting,  
195 fishing, and trapping licenses and permits.--

196 (4) All subagents appointed under this section shall  
197 provide the opportunity to register to vote or to update a voter  
198 registration record to each individual who comes to a subagent  
199 to purchase any resident hunting, fishing, or combination  
200 license. Each subagent shall provide each individual with a  
201 voter registration application that shall be provided to the  
202 subagent by the voter registration office in his or her  
203 respective county. Each subagent shall transmit completed voter  
204 registration applications to the supervisor of elections in his  
205 or her county within 5 business days.

206 Section 5. Section 372.674, Florida Statutes, is repealed.

207 Section 6. Paragraph (d) of subsection (2) of section  
208 372.672, Florida Statutes, is amended to read:

209 372.672 Florida Panther Research and Management Trust  
210 Fund.--

211 (2) Money from the fund shall be spent only for the  
212 following purposes:

213 ~~(d) To fund and administer education programs authorized~~  
214 ~~in s. 372.674.~~

215 Section 7. This act shall take effect July 1, 2005.