

Bill No. HB 395, 1st Eng.

Barcode 144848

CHAMBER ACTION

Senate

House

1		.	
	1/R/RM	.	SA1/RC
2	05/06/2005 01:34 PM	.	05/05/2005 11:51:50
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11 Senator Smith moved the following amendment:

12

Senate Amendment (with title amendment)

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Between lines 116 and 117, insert

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15 and insert:

16

Section 6. Section 327.803, Florida Statutes, is

17

amended to read:

18

03 Boating Advisory Council.--

19

(1) The Boating Advisory Council is created within the

20

Fish and Wildlife Conservation Commission and shall be

21

composed of 18 ~~17~~ members. The members include:

22

(a) One representative from the Fish and Wildlife

23

Conservation Commission, who shall serve as the chair of the

24

council.

25

(b) One representative each from the Department of

26

Environmental Protection, the United States Coast Guard

27

Auxiliary, the United States Power Squadron, and the inland

28

navigation districts.

29

(c) One representative of manatee protection

30

interests, one representative of the marine industries, one

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1 representative ~~two representatives~~ of water-related
2 environmental groups, one representative of canoe or kayak
3 enthusiasts, one representative of marine manufacturers, one
4 representative of commercial vessel owners or operators, one
5 representative of marine special events ~~sport boat racing~~, one
6 representative actively involved and working full-time in the
7 scuba diving industry who has experience in recreational
8 boating, one representative of either the commercial fishing
9 industry or the commercial shellfishing industry, and two
10 representatives of the boating public, each of whom shall be
11 nominated by the executive director of the Fish and Wildlife
12 Conservation Commission and appointed by the Governor to serve
13 staggered 3-year ~~2-year~~ terms. Members appointed by the
14 Governor may serve no more than two full consecutive terms.

15 (d) One member of the House of Representatives, who
16 shall be appointed by the Speaker of the House of
17 Representatives.

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

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

23 (3) The purpose of the council is to make
24 recommendations to the Fish and Wildlife Conservation
25 Commission and the Department of Community Affairs regarding
26 issues affecting the boating community, including, but not
27 limited to, issues related to:

28 (a) Boating and diving safety education.

29 (b) Boating-related facilities, including marinas and
30 boat testing facilities.

31 (c) Boat usage.

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1 (d) Boat access.

2 (e) Working waterfronts.

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

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

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

11 Section 7. Paragraphs (d) and (e) of subsection (2) of
12 section 370.06, Florida Statutes, are amended to read:

13 370.06 Licenses.--

14 (2) SALTWATER PRODUCTS LICENSE.--

15 (d) A saltwater products license may be issued in the
16 name of an individual or a valid commercial vessel ~~boat~~
17 registration number. However, a firm or corporation may only
18 receive a license issued to a valid commercial vessel
19 registration number. A saltwater products license may not be
20 transferred by the licenseholder to another individual, firm,
21 or corporation. Such license is not transferable. A decal
22 shall be issued with each saltwater products license issued to
23 a valid commercial vessel ~~boat~~ registration number. The
24 saltwater products license decal shall be the same color as
25 the vessel registration decal issued each year pursuant to s.
26 328.48(5) and shall indicate the period of time such license
27 is valid. The saltwater products license decal shall be placed
28 beside the vessel registration decal and, in the case of an
29 undocumented vessel, shall be placed so that the vessel
30 registration decal lies between the commercial vessel
31 registration number and the saltwater products license decal.

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1 Any saltwater products license decal for a previous year shall
2 be removed from a vessel operating on the waters of the state.

3 (e) The annual fee for a saltwater products license
4 is:

5 1. For a license issued in the name of an individual
6 which authorizes only that individual to engage in commercial
7 fishing activities from the shore or a vessel: a resident must
8 pay \$50; a nonresident must pay \$200; or an alien must pay
9 \$300.

10 2. For a license issued in the name of an individual
11 which authorizes that named individual to engage in commercial
12 fishing activities from the shore or a vessel and also
13 authorizes each person who is fishing with the named
14 individual aboard a vessel to engage in such activities: a
15 resident must pay \$150; a nonresident must pay \$600; or an
16 alien must pay \$900.

17 3. For a license issued to a valid commercial vessel
18 registration number which authorizes each person aboard such
19 registered vessel to engage in commercial fishing activities:
20 a resident, or a resident firm or corporation, must pay \$100;
21 a nonresident, or a nonresident firm or corporation, must pay
22 \$400; or an alien, or an alien firm or corporation, must pay
23 \$600. For purposes of this subparagraph, a resident firm or
24 corporation means a firm or corporation formed under the laws
25 of this state; a nonresident firm or corporation means a firm
26 or corporation formed under the laws of any state other than
27 Florida; and an alien firm or corporation means a firm or
28 corporation organized under any laws other than laws of the
29 United States, any United States territory or possession, or
30 any state of the United States. A resident shall pay an annual
31 license fee of \$50 for a saltwater products license issued in

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1 ~~the name of an individual or \$100 for a saltwater products~~
2 ~~license issued to a valid boat registration number. A~~
3 ~~nonresident shall pay an annual license fee of \$200 for a~~
4 ~~saltwater products license issued in the name of an individual~~
5 ~~or \$400 for a saltwater products license issued to a valid~~
6 ~~boat registration number. An alien shall pay an annual license~~
7 ~~fee of \$300 for a saltwater products license issued in the~~
8 ~~name of an individual or \$600 for a saltwater products license~~
9 ~~issued to a valid boat registration number.~~

10 Section 8. Paragraph (b) of subsection (1) of section
11 370.13, Florida Statutes, is amended to read:

12 370.13 Stone crab; regulation.--

13 (1) FEES AND EQUITABLE RENT.--

14 (b) Certificate fees.--

15 1. For each trap certificate issued by the commission
16 under the requirements of the stone crab trap limitation
17 program established by commission rule, there is an annual fee
18 of \$.50 per certificate. Replacement tags for lost or damaged
19 tags cost \$.50 each, except that tags lost in the event of a
20 major natural disaster declared as an emergency disaster by
21 the Governor shall be replaced for the cost of the tag as
22 incurred by the commission.

23 2. The fee for transferring trap certificates is \$1
24 per certificate transferred, except that the fee for eligible
25 crew members is 50 cents per certificate transferred. Except
26 for transfers to Eligible crew members shall be as determined
27 according to criteria established by rule of the commission,
28 ~~the fee for transferring certificates is \$2 per certificate~~
29 ~~transferred to be paid by the purchaser of the certificate or~~
30 ~~certificates. The transfer fee for eligible crew members is \$1~~
31 ~~per certificate. Payment must be made by money order or~~

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1 cashier's check, submitted with the certificate transfer form
2 developed by the commission.

3 3. In addition to the transfer fee, a surcharge of \$1
4 ~~\$2~~ per certificate transferred, or 25 percent of the actual
5 value of the transferred certificate, whichever is greater,
6 will be assessed the first time a certificate is transferred
7 outside the original holder's immediate family.

8 4. Transfer fees and surcharges only apply to the
9 actual number of certificates received by the purchaser. A
10 transfer of a certificate is not effective until the
11 commission receives a notarized copy of the bill of sale as
12 proof of the actual value of the transferred certificate or
13 certificates, which must also be submitted with the transfer
14 form and payment.

15 5. A transfer fee will not be assessed or required
16 when the transfer is within a family as a result of the death
17 or disability of the certificate owner. A surcharge will not
18 be assessed for any transfer within an individual's immediate
19 family.

20 6. The fees and surcharge amounts in this paragraph
21 apply in the 2005-2006 license year and subsequent years.

22 Section 9. Section 372.674, Florida Statutes, is
23 repealed.

24 Section 10. Paragraph (d) of subsection (2) of section
25 372.672, Florida Statutes, is amended to read:

26 372.672 Florida Panther Research and Management Trust
27 Fund.--

28 (2) Money from the fund shall be spent only for the
29 following purposes:

30 ~~(d) To fund and administer education programs~~
31 ~~authorized in s. 372.674.~~

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(Redesignate subsequent sections.)

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

On line 13, after the semicolon

insert:

amending s. 327.803, F.S.; revising the membership of the Boating Advisory Council; increasing the terms of office of members appointed by the Governor and limiting the number of consecutive terms they may serve; adding issues upon which the council makes recommendations to the commission and the Department of Community Affairs; authorizing reimbursement of expenses for members of the council; providing for the filling of vacancies; providing for members of the council to be removed for cause; amending s. 370.06, F.S.; providing for receipt of a saltwater products license issued by the commission to a firm or corporation; revising a provision barring transfer of a saltwater products license; revising a provision regarding the annual fee that an individual, firm, or corporation must pay for a license; providing for an increase in annual saltwater products license fees; providing definitions; amending s. 370.13, F.S.; reducing stone crab trap

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1 certificate transfer fees; reducing surcharge
2 fees; repealing s. 372.674, F.S., relating to
3 environmental education and the Advisory
4 Council on Environmental Education; amending s.
5 372.672, F.S., relating to the Florida Panther
6 Research and Management Trust Fund, to conform;

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