

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representatives Bowen, Mayfield, and Seiler offered the
2 following:

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4 **Amendment to Senate Amendment (634986) (with title**
5 **amendment)**

6 On page 1, between lines 16 and 17, insert:

7 Section 1. Section 327.803, Florida Statutes, is amended
8 to read:

9 327.803 Boating Advisory Council.--

10 (1) The Boating Advisory Council is created within the
11 Fish and Wildlife Conservation Commission and shall be composed
12 of 18 ~~17~~ members. The members include:

13 (a) One representative from the Fish and Wildlife
14 Conservation Commission, who shall serve as the chair of the
15 council.

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16 (b) One representative each from the Department of  
17 Environmental Protection, the United States Coast Guard  
18 Auxiliary, the United States Power Squadron, and the inland  
19 navigation districts.

20 (c) One representative of manatee protection interests,  
21 one representative of the marine industries, one representative  
22 ~~two representatives~~ of water-related environmental groups, one  
23 representative of canoe or kayak enthusiasts, one representative  
24 of marine manufacturers, one representative of commercial vessel  
25 owners or operators, one representative of marine special events  
26 ~~sport boat racing~~, one representative actively involved and  
27 working full-time in the scuba diving industry who has  
28 experience in recreational boating, one representative of either  
29 the commercial fishing industry or the commercial shellfishing  
30 industry, and two representatives of the boating public, each of  
31 whom shall be nominated by the executive director of the Fish  
32 and Wildlife Conservation Commission and appointed by the  
33 Governor to serve staggered 3-year ~~2-year~~ terms. Members  
34 appointed by the Governor may serve no more than two full  
35 consecutive terms.

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

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

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

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43 (3) The purpose of the council is to make recommendations  
44 to the Fish and Wildlife Conservation Commission and the  
45 Department of Community Affairs regarding issues affecting the  
46 boating community, including, but not limited to, issues related  
47 to:

48 (a) Boating and diving safety education.

49 (b) Boating-related facilities, including marinas and boat  
50 testing facilities.

51 (c) Boat usage.

52 (d) Boat access.

53 (e) Working waterfronts.

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

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

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

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

64 370.06 Licenses.--

65 (2) SALTWATER PRODUCTS LICENSE.--

66 (d) A saltwater products license may be issued in the name  
67 of an individual or a valid commercial vessel ~~boat~~ registration  
68 number. However, a firm or corporation may only receive a  
69 license issued to a valid commercial vessel registration number.  
70 A saltwater products license may not be transferred by the

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71 licenseholder to another individual, firm, or corporation. Such  
72 license is not transferable. A decal shall be issued with each  
73 saltwater products license issued to a valid commercial vessel  
74 ~~boat~~ registration number. The saltwater products license decal  
75 shall be the same color as the vessel registration decal issued  
76 each year pursuant to s. 328.48(5) and shall indicate the period  
77 of time such license is valid. The saltwater products license  
78 decal shall be placed beside the vessel registration decal and,  
79 in the case of an undocumented vessel, shall be placed so that  
80 the vessel registration decal lies between the commercial vessel  
81 registration number and the saltwater products license decal.  
82 Any saltwater products license decal for a previous year shall  
83 be removed from a vessel operating on the waters of the state.

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

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

89 2. For a license issued in the name of an individual which  
90 authorizes that named individual to engage in commercial fishing  
91 activities from the shore or a vessel and also authorizes each  
92 person who is fishing with the named individual aboard a vessel  
93 to engage in such activities: a resident must pay \$150; a  
94 nonresident must pay \$600; or an alien must pay \$900.

95 3. For a license issued to a valid commercial vessel  
96 registration number which authorizes each person aboard such  
97 registered vessel to engage in commercial fishing activities: a  
98 resident, or a resident firm or corporation, must pay \$100; a

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99 nonresident, or a nonresident firm or corporation, must pay  
100 \$400; or an alien, or an alien firm or corporation, must pay  
101 \$600. For purposes of this subparagraph, a resident firm or  
102 corporation means a firm or corporation formed under the laws of  
103 this state; a nonresident firm or corporation means a firm or  
104 corporation formed under the laws of any state other than  
105 Florida; and an alien firm or corporation means a firm or  
106 corporation organized under any laws other than laws of the  
107 United States, any United States territory or possession, or any  
108 state of the United States. A resident shall pay an annual  
109 license fee of \$50 for a saltwater products license issued in  
110 the name of an individual or \$100 for a saltwater products  
111 license issued to a valid boat registration number. A  
112 nonresident shall pay an annual license fee of \$200 for a  
113 saltwater products license issued in the name of an individual  
114 or \$400 for a saltwater products license issued to a valid boat  
115 registration number. An alien shall pay an annual license fee of  
116 \$300 for a saltwater products license issued in the name of an  
117 individual or \$600 for a saltwater products license issued to a  
118 valid boat registration number.

119 Section 3. Paragraph (b) of subsection (1) of section  
120 370.13, Florida Statutes, is amended to read:

121 370.13 Stone crab; regulation.--

122 (1) FEES AND EQUITABLE RENT.--

123 (b) Certificate fees.--

124 1. For each trap certificate issued by the commission  
125 under the requirements of the stone crab trap limitation program  
126 established by commission rule, there is an annual fee of \$.50

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127 per certificate. Replacement tags for lost or damaged tags cost  
128 \$.50 each, except that tags lost in the event of a major natural  
129 disaster declared as an emergency disaster by the Governor shall  
130 be replaced for the cost of the tag as incurred by the  
131 commission.

132 2. The fee for transferring trap certificates is \$1 per  
133 certificate transferred, except that the fee for eligible crew  
134 members is 50 cents per certificate transferred. ~~Except for~~  
135 ~~transfers to~~ Eligible crew members shall be as determined  
136 according to criteria established by rule of the commission, ~~the~~  
137 ~~fee for transferring certificates is \$2 per certificate~~  
138 ~~transferred to be paid by the purchaser of the certificate or~~  
139 ~~certificates. The transfer fee for eligible crew members is \$1~~  
140 ~~per certificate.~~ Payment must be made by money order or  
141 cashier's check, submitted with the certificate transfer form  
142 developed by the commission.

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

148 4. Transfer fees and surcharges only apply to the actual  
149 number of certificates received by the purchaser. A transfer of  
150 a certificate is not effective until the commission receives a  
151 notarized copy of the bill of sale as proof of the actual value  
152 of the transferred certificate or certificates, which must also  
153 be submitted with the transfer form and payment.

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154 5. A transfer fee will not be assessed or required when  
155 the transfer is within a family as a result of the death or  
156 disability of the certificate owner. A surcharge will not be  
157 assessed for any transfer within an individual's immediate  
158 family.

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

161 Section 4. Section 372.674, Florida Statutes, is repealed.

162 Section 5. Paragraph (d) of subsection (2) of section  
163 372.672, Florida Statutes, is amended to read:

164 372.672 Florida Panther Research and Management Trust  
165 Fund.--

166 (2) Money from the fund shall be spent only for the  
167 following purposes:

168 ~~(d) To fund and administer education programs authorized~~  
169 ~~in s. 372.674.~~

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

172 On page 2, lines 24 and 25, remove said lines and insert:  
173 An act relating to regulating natural resources; amending  
174 s. 327.803, F.S.; revising the membership of the Boating  
175 Advisory Council; increasing the terms of office of  
176 members appointed by the Governor and limiting the number  
177 of consecutive terms they may serve; adding issues upon  
178 which the council makes recommendations to the commission  
179 and the Department of Community Affairs; authorizing  
180 reimbursement of expenses for members of the council;  
181 providing for the filling of vacancies; providing for

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182 members of the council to be removed for cause; amending  
183 s. 370.06, F.S.; providing for receipt of a saltwater  
184 products license issued by the commission to a firm or  
185 corporation; revising a provision barring transfer of a  
186 saltwater products license; revising a provision regarding  
187 the annual fee that an individual, firm, or corporation  
188 must pay for a license; providing for an increase in  
189 annual saltwater products license fees; providing  
190 definitions; amending s. 370.13, F.S.; reducing stone crab  
191 trap certificate transfer fees; reducing surcharge fees;  
192 repealing s. 372.674, F.S., relating to environmental  
193 education and the Advisory Council on Environmental  
194 Education; amending s. 372.672, F.S., relating to the  
195 Florida Panther Research and Management Trust Fund, to  
196 conform; amending s. 373.118, F.S.;