

Bill No. SJR 1918

Barcode 731446

CHAMBER ACTION

Senate

House

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The Committee on Judiciary (Clary) recommended the following  
**amendment to amendment** (773348):

**Senate Amendment (with title amendment)**

On page 106, line 26, through  
page 109, line 10, delete those lines

and insert:

~~SECTION 16. Limiting marine net fishing.~~

~~(a) The marine resources of the State of Florida  
belong to all of the people of the state and should be  
conserved and managed for the benefit of the state, its  
people, and future generations. To this end the people hereby  
enact limitations on marine net fishing in Florida waters to  
protect saltwater finfish, shellfish, and other marine animals  
from unnecessary killing, overfishing and waste.~~

~~(b) For the purpose of catching or taking any  
saltwater finfish, shellfish or other marine animals in  
Florida waters:~~

~~(1) No gill nets or other entangling nets shall be  
used in any Florida waters; and~~

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1           ~~(2) In addition to the prohibition set forth in (1),~~  
2 ~~no other type of net containing more than 500 square feet of~~  
3 ~~mesh area shall be used in nearshore and inshore Florida~~  
4 ~~waters. Additionally, no more than two such nets, which shall~~  
5 ~~not be connected, shall be used from any vessel, and no person~~  
6 ~~not on a vessel shall use more than one such net in nearshore~~  
7 ~~and inshore Florida waters.~~

8           ~~(c) For purposes of this section:~~

9           ~~(1) "Gill net" means one or more walls of netting~~  
10 ~~which captures saltwater finfish by ensnaring or entangling~~  
11 ~~them in the meshes of the net by the gills, and "entangling~~  
12 ~~net" means a drift net, trammell net, stab net, or any other~~  
13 ~~net which captures saltwater finfish, shellfish, or other~~  
14 ~~marine animals by causing all or part of heads, fins, legs, or~~  
15 ~~other body parts to become entangled or ensnared in the meshes~~  
16 ~~of the net, but a hand thrown cast net is not a gill net or an~~  
17 ~~entangling net;~~

18           ~~(2) "Mesh area" of a net means the total area of~~  
19 ~~netting with the meshes open to comprise the maximum square~~  
20 ~~footage. The square footage shall be calculated using standard~~  
21 ~~mathematical formulas for geometric shapes. Seines and other~~  
22 ~~rectangular nets shall be calculated using the maximum length~~  
23 ~~and maximum width of the netting. Trawls and other bag type~~  
24 ~~nets shall be calculated as a cone using the maximum~~  
25 ~~circumference of the net mouth to derive the radius, and the~~  
26 ~~maximum length from the net mouth to the tail end of the net~~  
27 ~~to derive the slant height. Calculations for any other nets or~~  
28 ~~combination type nets shall be based on the shapes of the~~  
29 ~~individual components;~~

30           ~~(3) "Coastline" means the territorial sea base line~~  
31 ~~for the State of Florida established pursuant to the laws of~~

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1 ~~the United States of America;~~

2       ~~(4) "Florida waters" means the waters of the Atlantic~~  
3 ~~Ocean, the Gulf of Mexico, the Straits of Florida, and any~~  
4 ~~other bodies of water under the jurisdiction of the State of~~  
5 ~~Florida, whether coastal, intracoastal or inland, and any part~~  
6 ~~thereof; and~~

7       ~~(5) "Nearshore and inshore Florida waters" means all~~  
8 ~~Florida waters inside a line three miles seaward of the~~  
9 ~~coastline along the Gulf of Mexico and inside a line one mile~~  
10 ~~seaward of the coastline along the Atlantic Ocean.~~

11       ~~(d) This section shall not apply to the use of nets~~  
12 ~~for scientific research or governmental purposes.~~

13       ~~(e) Persons violating this section shall be prosecuted~~  
14 ~~and punished pursuant to the penalties provided in section~~  
15 ~~370.021(2)(a), (b), (c) 6. and 7., and (e), Florida Statutes~~  
16 ~~(1991), unless and until the legislature enacts more stringent~~  
17 ~~penalties for violations hereof. On and after the effective~~  
18 ~~date of this section, law enforcement officers in the state~~  
19 ~~are authorized to enforce the provisions of this section in~~  
20 ~~the same manner and authority as if a violation of this~~  
21 ~~section constituted a violation of chapter 370, Florida~~  
22 ~~Statutes (1991).~~

23       ~~(f) It is the intent of this section that implementing~~  
24 ~~legislation is not required for enforcing any violations~~  
25 ~~hereof, but nothing in this section prohibits the~~  
26 ~~establishment by law or pursuant to law of more restrictions~~  
27 ~~on the use of nets for the purpose of catching or taking any~~  
28 ~~saltwater finfish, shellfish, or other marine animals.~~

29       ~~(g) If any portion of this section is held invalid for~~  
30 ~~any reason, the remaining portion of this section, to the~~  
31 ~~fullest extent possible, shall be severed from the void~~

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1 ~~portion and given the fullest possible force and application.~~

2 ~~(h) This section shall take effect on the July 1 next~~  
3 ~~occurring after approval hereof by vote of the electors.~~

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5 (Redesignate subsequent sections.)

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

9 And the title is amended as follows:

10 On page 151, line 18, after the semicolon,

11

12 insert:

13 to repeal Section 16 of Article X, which  
14 imposes limitations on marine netfishing in  
15 Florida waters;

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