

Bill No. CS for CS for SB 2490

Barcode 303682

CHAMBER ACTION

Senate

House

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The Committee on General Government Appropriations (Garcia)
recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. The Legislature ratifies chapter 68B-45.007, Florida Administrative Code, approved by the Fish and Wildlife Conservation Commission on March 30, 2006, as the blue crab limited entry endorsement program. Amendments to the rule shall become effective only after submitted to the President of the Senate and the Speaker of the House of Representatives for review by the Legislature not later than 30 days prior to the next regular session. The commission shall conform the rule to changes made by the Legislature, or if no action is taken, such rule shall become effective.

Section 2. Section 370.135, Florida Statutes, is amended to read:

370.135 Blue crab; regulation.--

(1) No person, firm, or corporation shall transport on

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1 the water, fish with or cause to be fished with, set, or place
2 any trap designed for taking blue crabs unless such person,
3 firm, or corporation is the holder of a valid saltwater
4 products license issued pursuant to s. 370.06 and the trap has
5 a current state number permanently attached to the buoy. The
6 trap number shall be affixed in legible figures at least 1
7 inch high on each buoy used. The saltwater products license
8 must be on board the boat, and both the license and the crabs
9 shall be subject to inspection at all times. Only one trap
10 number may be issued for each boat by the commission upon
11 receipt of an application on forms prescribed by it. This
12 subsection shall not apply to an individual fishing with no
13 more than five traps. ~~It is a felony of the third degree,~~
14 ~~punishable as provided in s. 775.082, s. 775.083, or s.~~
15 ~~775.084, for any person willfully to molest any traps, lines,~~
16 ~~or buoys, as defined herein, belonging to another without the~~
17 ~~express written consent of the trap owner. Any person~~
18 ~~receiving a judicial disposition other than dismissal or~~
19 ~~acquittal on a charge of willful molestation of a trap, in~~
20 ~~addition to the penalties specified in s. 370.021, shall lose~~
21 ~~all saltwater fishing privileges for a period of 24 calendar~~
22 ~~months. It is unlawful for any person to remove the contents~~
23 ~~of or take possession of another harvester's trap without the~~
24 ~~express written consent of the trap owner available for~~
25 ~~immediate inspection. Unauthorized possession of another's~~
26 ~~trap gear or removal of trap contents constitutes theft. Any~~
27 ~~person receiving a judicial disposition other than dismissal~~
28 ~~or acquittal on a charge of theft of or from a trap pursuant~~
29 ~~to this section or s. 370.1107 shall, in addition to the~~
30 ~~penalties specified in s. 370.021 and the provisions of this~~
31 ~~section, permanently lose all his or her saltwater fishing~~

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1 ~~privileges including his or her saltwater products license and~~
 2 ~~blue crab endorsement. In such cases endorsements, landings~~
 3 ~~history, and trap certificates are nontransferable. In~~
 4 ~~addition, any person, firm, or corporation receiving a~~
 5 ~~judicial disposition other than dismissal or acquittal for~~
 6 ~~violating this subsection or s. 370.1107 shall also be~~
 7 ~~assessed an administrative penalty of up to \$5,000.~~
 8 ~~Immediately upon receiving a citation for a violation~~
 9 ~~involving theft of or from a trap and until adjudicated for~~
 10 ~~such a violation, or receiving a judicial disposition other~~
 11 ~~than dismissal or acquittal for such a violation, the person,~~
 12 ~~firm, or corporation committing the violation is prohibited~~
 13 ~~from transferring any blue crab endorsements, landings~~
 14 ~~history, or trap certificates.~~

15 (2) No person shall harvest blue crabs with more than
 16 five traps, harvest blue crabs in commercial quantities, or
 17 sell blue crabs unless such person holds a valid saltwater
 18 products license with a restricted species endorsement and a
 19 blue crab endorsement ~~(trap number)~~ issued pursuant to this
 20 section subsection.

21 ~~(a) Effective June 1, 1998, and until July 1, 2002, no~~
 22 ~~blue crab endorsement (trap number), except those endorsements~~
 23 ~~that are active during the 1997-1998 fiscal year, shall be~~
 24 ~~renewed or replaced.~~

25 ~~(b) Effective January 1, 1999, and until July 1, 2002,~~
 26 ~~a trap number holder, or members of his or her immediate~~
 27 ~~family, must request renewal of the endorsement prior to~~
 28 ~~September 30 of each year.~~

29 ~~(c) If a person holding an active blue crab~~
 30 ~~endorsement, or a member of that person's immediate family,~~
 31 ~~does not request renewal of the endorsement before the~~

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1 ~~applicable dates as specified in this subsection, the~~
2 ~~commission shall deactivate that endorsement.~~

3 ~~(a)(d)~~ In the event of the death or disability of a
4 person holding an active blue crab endorsement, the
5 endorsement may be transferred by the person to a member of
6 his or her immediate family or may be renewed by any person so
7 designated by the executor of the person's estate.

8 ~~(b)(e)~~ Persons who hold saltwater products licenses
9 with blue crab endorsements issued to their boat registration
10 numbers and who subsequently replace their existing vessels
11 with new vessels shall be permitted to transfer the existing
12 licenses to the new boat registration numbers.

13 (3)(a) Endorsement fees.--

14 1. The fee for a hard-shell blue crab endorsement for
15 the taking of hard-shell blue crabs, as authorized by rule of
16 the commission, is \$125, \$25 of which must be used solely for
17 the trap-retrieval program authorized under s. 370.143 and in
18 commission rules.

19 2. The fee for a soft-shell blue crab endorsement for
20 the taking of soft-shell blue crabs, as authorized by rule of
21 the commission, is \$250, \$25 of which must be used solely for
22 the trap-retrieval program authorized under s. 370.143 and in
23 commission rules.

24 3. The fee for a nontransferable hard-shell blue crab
25 endorsement for the taking of hard-shell blue crabs, as
26 authorized by rule of the commission, is \$125, \$25 of which
27 must be used solely for the trap-retrieval program authorized
28 under s. 370.143 and in commission rules.

29 4. The fee for an incidental-take blue crab
30 endorsement for the taking of blue crabs as bycatch in shrimp
31 trawls and stone crab traps, as authorized in commission

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1 rules, is \$25.

2 (b) Trap tag fees.--The annual fee for each trap tag
3 issued by the commission under the requirements of the blue
4 crab effort management program established by rule of the
5 commission is 50 cents per tag. The fee for replacement tags
6 for lost or damaged tags is 50 cents per tag plus the cost of
7 shipping. In the event of a major natural disaster, such as a
8 hurricane or major storm, which causes massive trap losses
9 within an area declared by the Governor to be a disaster
10 emergency area, the commission may temporarily defer or
11 permanently waive replacement tag fees.

12 (c) Equitable rent.--The commission may establish by
13 rule an amount of equitable rent that may be recovered as
14 partial compensation to the state for the enhanced access to
15 its natural resources. In determining whether to establish
16 such a rent and the amount thereof, the commission may
17 consider the amount of revenues annually generated by
18 endorsement fees, trap tag fees, replacement trap tag fees,
19 trap retrieval fees, and the continued economic viability of
20 the commercial blue crab industry. A rule establishing an
21 amount of equitable rent shall become effective only upon
22 approval by act of the Legislature.

23 (d) Disposition of fees and fines for civil or
24 criminal penalties.--The fees generated from the sale of blue
25 crab endorsements, trap tags, and replacement trap tags, and
26 fines assessed with civil or criminal penalties authorized
27 under this section, shall be deposited into the Marine
28 Resources Conservation Trust Fund. Not more than 50 percent of
29 the revenue generated by the sale of endorsements and trap
30 tags and the assessment of fines may be used for the operation
31 and administration of the blue crab effort management program.

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1 The remaining revenues generated from the sale of endorsements
 2 and trap tags and the assessment of fines may be used for trap
 3 retrieval; management of the blue crab fishery; and
 4 public-education activities, research, and enforcement
 5 activities in support of the blue crab effort management
 6 program.

7 (e) Waiver of fees.--For the 2006-2007 license year,
 8 the commission shall waive all fees under this subsection for
 9 all persons who qualify by September 30, 2006, to participate
 10 in the blue crab effort management program established by
 11 commission rule.

12 (4)(a) Untagged trap penalties.--In addition to any
 13 other penalties provided in s. 370.021 for any person, firm,
 14 or corporation that violates commission rules requiring the
 15 placement of trap tags for each trap used for the directed
 16 harvest of blue crabs, the following administrative penalties
 17 apply:

18 1. For a first violation, the commission shall assess
 19 an administrative penalty of up to \$1,000 and the blue crab
 20 endorsement holder's blue crab fishing privileges may be
 21 suspended for the remainder of the current license year.

22 2. For a second violation that occurs within 24 months
 23 after any previous such violation, the commission shall assess
 24 an administrative penalty of up to \$2,000 and the blue crab
 25 endorsement holder's blue crab fishing privileges may be
 26 suspended for 12 calendar months.

27 3. For a third violation that occurs within 36 months
 28 after any two previous such violations, the commission shall
 29 assess an administrative penalty of up to \$5,000 and the blue
 30 crab endorsement holder's blue crab fishing privileges may be
 31 suspended for 24 calendar months.

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1 4. A fourth violation that occurs within 48 months
 2 after any three previous such violations shall result in
 3 permanent revocation of all of the violator's saltwater
 4 fishing privileges, including having the commission proceed
 5 against the endorsement holder's saltwater products license in
 6 accordance with s. 370.021.

7
 8 Any person assessed an administrative penalty under this
 9 paragraph shall, within 30 calendar days after notification,
 10 pay the administrative penalty to the commission or request an
 11 administrative hearing under ss. 120.569 and 120.57. The
 12 proceeds of all administrative penalties collected under this
 13 paragraph shall be deposited in the Marine Resources
 14 Conservation Trust Fund.

15 (b) Trap theft; prohibitions and penalties.--It is
 16 unlawful for any person to remove or take possession of the
 17 contents of another harvester's blue crab trap without the
 18 express written consent of the trap owner, which must be
 19 available for immediate inspection. Unauthorized possession of
 20 another harvester's blue crab trap gear or removal of trap
 21 contents constitutes theft. Any person convicted of theft of
 22 or from a blue crab trap pursuant to this paragraph shall, in
 23 addition to the penalties specified in s. 370.021 and the
 24 provisions of this section, permanently lose all of his or her
 25 saltwater fishing privileges, including saltwater products
 26 licenses, blue crab endorsements, and all blue crab trap tags
 27 allotted to him or her by the commission. In such cases, blue
 28 crab endorsements are nontransferable. In addition, any
 29 person, firm, or corporation convicted of a violation of this
 30 paragraph shall also be assessed an administrative penalty of
 31 up to \$5,000. Immediately upon receiving a citation for a

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1 violation involving theft of or from a trap and until
2 adjudicated for such a violation or upon receipt of a judicial
3 disposition other than dismissal or acquittal on such a
4 violation, the violator is prohibited from transferring any
5 blue crab endorsement.

6 (c) Criminal activities.--Any person, firm, or
7 corporation convicted of violating commission rules that
8 prohibit any of the following commits a felony of the third
9 degree, punishable as provided in s. 775.082, s. 775.083, or
10 s. 775.084:

11 1. The willful molestation of any blue crab trap,
12 line, or buoy that is the property of any licenseholder,
13 without the permission of that licenseholder.

14 2. The bartering, trading, leasing, or sale, or
15 conspiring or aiding in such barter, trade, lease, or sale, or
16 supplying, agreeing to supply, aiding in supplying, or giving
17 away blue crab trap tags unless the action is duly authorized
18 by commission rules.

19 3. The making, altering, forging, counterfeiting, or
20 reproducing of blue crab trap tags.

21 4. Possession of altered, forged, counterfeit, or
22 imitation blue crab trap tags.

23 5. Possession of original trap tags and replacement
24 trap tags, the sum of which exceeds by 1 percent the number of
25 traps allowed by rule of the commission.

26 6. Engaging in the commercial harvest of blue crabs
27 during the time the licenseholder's blue crab endorsements are
28 under suspension or revocation.

29
30 In addition, any person, firm, or corporation convicted of a
31 violation of this paragraph shall be assessed an

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1 administrative penalty of up to \$5,000, and all of the blue
 2 crab endorsements possessed by the person, firm, or
 3 corporation may be suspended for up to 24 calendar months.
 4 Immediately upon receiving a citation involving a violation of
 5 this paragraph and until adjudicated for such a violation, or
 6 if convicted of such a violation, the person, firm, or
 7 corporation committing the violation is prohibited from
 8 transferring any blue crab endorsements.

9 (d) Endorsement transfers; fraudulent reports;
 10 penalties.--For any person, firm, or corporation convicted of
 11 fraudulently reporting the actual value of transferred blue
 12 crab endorsements, the commission may automatically suspend or
 13 permanently revoke the seller's or the purchaser's blue crab
 14 endorsements. If the endorsement is permanently revoked, the
 15 commission shall also permanently deactivate the endorsement
 16 holder's blue crab trap tag accounts.

17 (e) Prohibitions during endorsement suspension and
 18 revocation.--During any period of suspension or after
 19 revocation of a blue crab endorsement holder's endorsements,
 20 he or she shall, within 15 days after notice provided by the
 21 commission, remove from the water all traps subject to that
 22 endorsement. Failure to do so shall extend the period of
 23 suspension for an additional 6 calendar months.

24 (5) For purposes of this section, a conviction is any
 25 disposition other than acquittal or dismissal.

26 (6) A blue crab endorsement may not be renewed until
 27 all fees and administrative penalties imposed under this
 28 section are paid.

29 Section 3. For the 2006-2007 fiscal year, the sum of
 30 \$132,000 is appropriated from the Marine Resources
 31 Conservation Trust Fund to the Fish and Wildlife Conservation

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1 Commission on a recurring basis for the purpose of
 2 implementing the blue crab effort management program pursuant
 3 to s. 370.135(3)(b), Florida Statutes, and administrative
 4 costs of the Blue Crab Advisory Board as created by commission
 5 rule.

6 Section 4. Subsection (1) of section 370.13, Florida
 7 Statutes, is amended to read:

8 370.13 Stone crab; regulation.--

9 (1) FEES AND EQUITABLE RENT.--

10 (a) Endorsement fee.--The fee for a stone crab
 11 endorsement for the taking of stone crabs, as required by rule
 12 of the Fish and Wildlife Conservation Commission, is \$125, \$25
 13 of which must be used solely for trap retrieval under s.
 14 370.143.

15 (b) Certificate fees.--

16 1. For each trap certificate issued by the commission
 17 under the requirements of the stone crab trap limitation
 18 program established by commission rule, there is an annual fee
 19 of 50 cents per certificate. Replacement tags for lost or
 20 damaged tags cost 50 cents each. In the event of a major
 21 natural disaster, such as a hurricane or major storm, which
 22 causes massive trap losses within an area declared by the
 23 Governor to be a disaster emergency area, the commission may
 24 temporarily defer or permanently waive replacement tag fees.
 25 ~~except that tags lost in the event of a major natural disaster~~
 26 ~~declared as an emergency disaster by the Governor shall be~~
 27 ~~replaced for the cost of the tag as incurred by the~~
 28 ~~commission.~~

29 2. The fee for transferring trap certificates is \$1
 30 per certificate transferred, except that the fee for eligible
 31 crew members is 50 cents per certificate transferred. Eligible

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1 crew members shall be determined according to criteria
2 established by rule of the commission. Payment must be made by
3 money order or cashier's check, submitted with the certificate
4 transfer form developed by the commission.

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

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

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

22 ~~6. The fees and surcharge amounts in this paragraph~~
23 ~~apply in the 2005-2006 license year and subsequent years.~~

24 (c) Incidental take endorsement.--The cost of an
25 incidental take endorsement, as established by commission
26 rule, is \$25.

27 (d) Equitable rent.--The commission may establish by
28 rule an amount of equitable rent per trap certificate that may
29 be recovered as partial compensation to the state for the
30 enhanced access to its natural resources. In determining
31 whether to establish such a rent and the amount thereof, the

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1 commission may consider the amount of revenues annually
 2 generated by endorsement fees, trap certificate fees, transfer
 3 fees, surcharges, replacement trap tag fees, trap retrieval
 4 fees, incidental take endorsement fees, and the continued
 5 economic viability of the commercial stone crab industry. A
 6 rule establishing an amount of equitable rent shall become
 7 effective only upon approval by act of the Legislature. Final
 8 ~~approval of such a rule shall be by the Governor and Cabinet~~
 9 ~~sitting as the Board of Trustees of the Internal Improvement~~
 10 ~~Trust Fund.~~

11 (d)(e) Disposition of fees, surcharges, civil
 12 penalties and fines, and equitable rent.--Endorsement fees,
 13 trap certificate fees, transfer fees, civil penalties and
 14 fines, surcharges, replacement trap tag fees, trap retrieval
 15 fees, and incidental take endorsement fees, and equitable
 16 rent, if any, must be deposited in the Marine Resources
 17 Conservation Trust Fund. Not more than 50 percent of the
 18 revenues generated under this section may be used for
 19 operation and administration of the stone crab trap limitation
 20 program. The remaining revenues generated under this program
 21 are to be used for trap retrieval, management of the stone
 22 crab fishery, public education activities, evaluation of the
 23 impact of trap reductions on the stone crab fishery, and
 24 enforcement activities in support of the stone crab trap
 25 limitation program.

26 (e)(f) Program to be self-supporting.--The stone crab
 27 trap limitation program is intended to be a self-supporting
 28 program funded from proceeds generated under this section.

29 (f)(g) No vested rights.--The stone crab trap
 30 limitation program does not create any vested rights for
 31 endorsement or certificateholders and may be altered or

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1 terminated by the commission as necessary to protect the stone
2 crab resource, the participants in the fishery, or the public
3 interest.

4 Section 5. Section 370.14, Florida Statutes, is
5 amended to read:

6 370.14 Spiny lobster ~~Crawfish~~; regulation.--

7 (1) It is the intent of the Legislature to maintain
8 the spiny lobster ~~crawfish~~ industry for the economy of the
9 state and to conserve the stocks supplying this industry. The
10 provisions of this act regulating the taking of spiny lobster
11 ~~saltwater crawfish~~ are for the purposes of ensuring and
12 maintaining the highest possible production of spiny lobster
13 ~~saltwater crawfish~~.

14 (2)(a)1. Each person taking or attempting to take
15 spiny lobster ~~crawfish~~ with a trap in commercial quantities or
16 for commercial purposes shall obtain and exhibit a spiny
17 lobster ~~crawfish~~ trap number, as required by the Fish and
18 Wildlife Conservation Commission. The annual fee for a spiny
19 lobster ~~crawfish~~ trap number is \$125. This trap number may be
20 issued by the commission upon the receipt of application by
21 the person when accompanied by the payment of the fee. The
22 design of the applications and of the trap number shall be
23 determined by the commission. Any trap or device used in
24 taking or attempting to take spiny lobster ~~crawfish~~, other
25 than a trap with the trap number, shall be seized and
26 destroyed by the commission. The proceeds of the fees imposed
27 by this paragraph shall be deposited and used as provided in
28 paragraph (b). The commission may adopt rules to carry out the
29 intent of this section.

30 2. Each person taking or attempting to take spiny
31 lobster ~~crawfish~~ in commercial quantities or for commercial

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1 purposes by any method, other than with a trap having a spiny
2 lobster ~~crawfish~~ trap number issued by the commission, must
3 pay an annual fee of \$100.

4 (b) Twenty-five dollars of the \$125 fee for a spiny
5 lobster ~~crawfish~~ trap number required under subparagraph (a)1.
6 must be used only for trap retrieval as provided in s.
7 370.143. The remainder of the fees collected pursuant to
8 paragraph (a) shall be deposited as follows:

9 1. Fifty percent of the fees collected shall be
10 deposited in the Marine Resources Conservation Trust Fund for
11 use in enforcing the provisions of paragraph (a) through
12 aerial and other surveillance and trap retrieval.

13 2. Fifty percent of the fees collected shall be
14 deposited as provided in s. 370.142(5).

15 (3) The spiny lobster ~~crawfish~~ license must be on
16 board the boat, and both the license and the harvested spiny
17 lobster ~~crawfish~~ shall be subject to inspection at all times.
18 Only one license shall be issued for each boat. The spiny
19 lobster ~~crawfish~~ license number must be prominently displayed
20 above the topmost portion of the boat so as to be easily and
21 readily identified.

22 (4) It is a felony of the third degree, punishable as
23 provided in s. 775.082 or s. 775.083, for any person willfully
24 to molest any spiny lobster ~~crawfish~~ traps, lines, or buoys
25 belonging to another without permission of the licenseholder.

26 (5) Any spiny lobster ~~crawfish~~ licenseholder, upon
27 selling licensed spiny lobster ~~crawfish~~ traps, shall furnish
28 the commission notice of such sale of all or part of his or
29 her interest within 15 days thereof. Any holder of said
30 license shall also notify the commission within 15 days if his
31 or her address no longer conforms to the address appearing on

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1 the license and shall, as a part of such notification, furnish
2 the commission with his or her new address.

3 (6)(a) By a special permit granted by the commission,
4 a Florida-licensed seafood dealer may lawfully import,
5 process, and package spiny lobster ~~saltwater crawfish~~ or
6 uncooked tails of the species *Panulirus argus* during the
7 closed season. However, spiny lobster ~~crawfish~~ landed under
8 special permit shall not be sold in the state.

9 (b) The licensed seafood dealer importing any such
10 spiny lobster ~~crawfish~~ under the permit shall, 12 hours prior
11 to the time the seagoing vessel or airplane delivering such
12 imported spiny lobster ~~crawfish~~ enters the state, notify the
13 commission as to the seagoing vessel's name or the airplane's
14 registration number and its captain, location, and point of
15 destination.

16 (c) At the time the spiny lobster ~~crawfish~~ cargo is
17 delivered to the permitholder's place of business, the spiny
18 lobster ~~crawfish~~ cargo shall be weighed and shall be available
19 for inspection by the commission. A signed receipt of such
20 quantity in pounds shall be forwarded to the commission within
21 48 hours after shipment weigh-in completion. If requested by
22 the commission, the weigh-in process will be delayed up to 4
23 hours to allow for a commission representative to be present
24 during the process.

25 (d) Within 48 hours after shipment weigh-in
26 completion, the permitholder shall submit to the commission,
27 on forms provided by the commission, a sworn report of the
28 quantity in pounds of the spiny lobster ~~saltwater crawfish~~
29 received, which report shall include the location of said
30 spiny lobster ~~crawfish~~ and a sworn statement that said spiny
31 lobster ~~crawfish~~ were taken at least 50 miles from Florida's

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1 shoreline. The landing of spiny lobster ~~crawfish~~ or spiny
 2 lobster ~~crawfish~~ tails from which the eggs, swimmerettes, or
 3 pleopods have been removed; the falsification of information
 4 as to area from which spiny lobster ~~crawfish~~ were obtained; or
 5 the failure to file the report called for in this section
 6 shall be grounds to revoke the permit.

7 (e) Each permitholder shall keep throughout the period
 8 of the closed season copies of the bill of sale or invoices
 9 covering each transaction involving spiny lobster ~~crawfish~~
 10 imported under this permit. Such invoices and bills shall be
 11 kept available at all times for inspection by the commission.

12 (7)(a) A Florida-licensed seafood dealer may obtain a
 13 special permit to import, process, and package uncooked tails
 14 of spiny lobster ~~saltwater crawfish~~ upon the payment of the
 15 sum of \$100 to the commission.

16 (b) A special permit must be obtained by any airplane
 17 or seagoing vessel other than a common carrier used to
 18 transport spiny lobster ~~saltwater crawfish~~ or spiny lobster
 19 ~~crawfish~~ tails for purchase by licensed seafood dealers for
 20 purposes as provided herein upon the payment of \$50.

21 (c) All special permits issued under this subsection
 22 are nontransferable.

23 (8) No common carrier or employee of said carrier may
 24 carry, knowingly receive for carriage, or permit the carriage
 25 of any spiny lobster ~~crawfish~~ of the species Panulirus argus,
 26 regardless of where taken, during the closed season, except of
 27 the species Panulirus argus lawfully imported from a foreign
 28 country for reshipment outside of the territorial limits of
 29 the state under United States Customs bond or in accordance
 30 with paragraph (7)(a).

31 Section 6. Paragraphs (a), (b), and (c) of subsection

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1 (2) of section 370.142, Florida Statutes, are amended to read:

2 370.142 Spiny lobster trap certificate program.--

3 (2) TRANSFERABLE TRAP CERTIFICATES; TRAP TAGS; FEES;

4 PENALTIES.--The Fish and Wildlife Conservation Commission

5 shall establish a trap certificate program for the spiny

6 lobster fishery of this state and shall be responsible for its

7 administration and enforcement as follows:

8 (a) Transferable trap certificates.--Each holder of a

9 saltwater products license who uses traps for taking or

10 attempting to take spiny lobsters shall be required to have a

11 certificate on record for each trap possessed or used

12 therefor, except as otherwise provided in this section.

13 1. The Department of Environmental Protection shall

14 initially allot such certificates to each licenseholder with a

15 current spiny lobster ~~crawfish~~ trap number who uses traps.

16 The number of such certificates allotted to each such

17 licenseholder shall be based on the trap/catch coefficient

18 established pursuant to trip ticket records generated under

19 the provisions of s. 370.06(2) over a 3-year base period

20 ending June 30, 1991. The trap/catch coefficient shall be

21 calculated by dividing the sum of the highest reported single

22 license-year landings up to a maximum of 30,000 pounds for

23 each such licenseholder during the base period by 700,000.

24 Each such licenseholder shall then be allotted the number of

25 certificates derived by dividing his or her highest reported

26 single license-year landings up to a maximum of 30,000 pounds

27 during the base period by the trap/catch coefficient.

28 Nevertheless, no licenseholder with a current spiny lobster

29 ~~crawfish~~ trap number shall be allotted fewer than 10

30 certificates. However, certificates may only be issued to

31 individuals; therefore, all licenseholders other than

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1 individual licenseholders shall designate the individual or
2 individuals to whom their certificates will be allotted and
3 the number thereof to each, if more than one. After initial
4 issuance, trap certificates are transferable on a market basis
5 and may be transferred from one licenseholder to another for a
6 fair market value agreed upon between the transferor and
7 transferee. Each such transfer shall, within 72 hours thereof,
8 be recorded on a notarized form provided for that purpose by
9 the Fish and Wildlife Conservation Commission and hand
10 delivered or sent by certified mail, return receipt requested,
11 to the commission for recordkeeping purposes. ~~In addition,~~ In
12 order to cover the added administrative costs of the program
13 and to recover an equitable natural resource rent for the
14 people of the state, a transfer fee of \$2 per certificate
15 transferred shall be assessed against the purchasing
16 licenseholder and sent by money order or cashier's check with
17 the certificate transfer form. Also, in addition to the
18 transfer fee, a surcharge of \$5 per certificate transferred or
19 25 percent of the actual market value, whichever is greater,
20 given to the transferor shall be assessed the first time a
21 certificate is transferred outside the original transferor's
22 immediate family. No transfer of a certificate shall be
23 effective until the commission receives the notarized transfer
24 form and the transfer fee, including any surcharge, is paid.
25 The commission may establish by rule an amount of equitable
26 rent per trap certificate that shall be recovered as partial
27 compensation to the state for the enhanced access to its
28 natural resources. A rule establishing an amount of equitable
29 rent shall become effective only upon approval by act of the
30 Legislature. ~~Final approval of such a rule shall be by the~~
31 ~~Governor and Cabinet sitting as the Board of Trustees of the~~

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1 ~~Internal Improvement Trust Fund.~~ In determining whether to
 2 establish such a rent and, if so, the amount thereof, the
 3 commission shall consider the amount of revenues annually
 4 generated by certificate fees, transfer fees, surcharges, trap
 5 license fees, and sales taxes, the demonstrated fair market
 6 value of transferred certificates, and the continued economic
 7 viability of the commercial lobster industry. The proceeds of
 8 equitable rent recovered shall be deposited in the Marine
 9 Resources Conservation Trust Fund and used by the commission
 10 for research, management, and protection of the spiny lobster
 11 fishery and habitat. A transfer fee may not be assessed or
 12 required when the transfer is within a family as a result of
 13 the death or disability of the certificate owner. A surcharge
 14 will not be assessed for any transfer within an individual's
 15 immediate family.

16 2. No person, firm, corporation, or other business
 17 entity may control, directly or indirectly, more than 1.5
 18 percent of the total available certificates in any license
 19 year.

20 3. The commission shall maintain records of all
 21 certificates and their transfers and shall annually provide
 22 each licenseholder with a statement of certificates held.

23 4. The number of trap tags issued annually to each
 24 licenseholder shall not exceed the number of certificates held
 25 by the licenseholder at the time of issuance, and such tags
 26 and a statement of certificates held shall be issued
 27 simultaneously.

28 5. ~~Beginning July 1, 2003, and applicable to the~~
 29 ~~2003-2004 lobster season and thereafter,~~ It is unlawful for
 30 any person to lease spiny lobster trap tags or certificates.

31 (b) Trap tags.--Each trap used to take or attempt to

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1 take spiny lobsters in state waters or adjacent federal waters
2 shall, in addition to the spiny lobster ~~crawfish~~ trap number
3 required by s. 370.14(2), have affixed thereto an annual trap
4 tag issued by the commission. Each such tag shall be made of
5 durable plastic or similar material and shall, based on the
6 number of certificates held, have stamped thereon the owner's
7 license number. To facilitate enforcement and recordkeeping,
8 such tags shall be issued each year in a color different from
9 that of each of the previous 3 years. The annual certificate
10 fee shall be \$1 per certificate. Replacement tags for lost or
11 damaged tags may be obtained as provided by rule of the
12 commission. In the event of a major natural disaster, such as
13 a hurricane or major storm, which causes massive trap losses
14 within an area declared by the Governor to be a disaster
15 emergency area, the commission may temporarily defer or
16 permanently waive replacement tag fees.

17 (c) Prohibitions; penalties.--

18 1. It is unlawful for a person to possess or use a
19 spiny lobster trap in or on state waters or adjacent federal
20 waters without having affixed thereto the trap tag required by
21 this section. It is unlawful for a person to possess or use
22 any other gear or device designed to attract and enclose or
23 otherwise aid in the taking of spiny lobster by trapping that
24 is not a trap as defined by commission rule ~~in rule~~
25 ~~68B-24.006(2), Florida Administrative Code.~~

26 2. It is unlawful for a person to possess or use spiny
27 lobster trap tags without having the necessary number of
28 certificates on record as required by this section.

29 3. It is unlawful for any person to willfully molest,
30 take possession of, or remove the contents of another
31 harvester's spiny lobster trap without the express written

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1 consent of the trap owner available for immediate inspection.
2 Unauthorized possession of another's trap gear or removal of
3 trap contents constitutes theft.

4 a. Any person receiving a judicial disposition other
5 than dismissal or acquittal on a charge of theft of or from a
6 spiny lobster trap pursuant to this subparagraph or s.
7 370.1107 shall, in addition to the penalties specified in ss.
8 370.021 and 370.14 and the provisions of this section,
9 permanently lose all his or her saltwater fishing privileges,
10 including his or her saltwater products license, spiny lobster
11 ~~crawfish~~ endorsement, and all trap certificates allotted to
12 him or her through this program. In such cases, trap
13 certificates and endorsements are nontransferable.

14 b. Any person receiving a judicial disposition other
15 than dismissal or acquittal on a charge of willful molestation
16 of a trap, in addition to the penalties specified in ss.
17 370.021 and 370.14, shall lose all saltwater fishing
18 privileges for a period of 24 calendar months.

19 c. In addition, any person, firm, or corporation
20 charged with violating this paragraph and receiving a judicial
21 disposition other than dismissal or acquittal for violating
22 this subparagraph or s. 370.1107 shall also be assessed an
23 administrative penalty of up to \$5,000.

24
25 Immediately upon receiving a citation for a violation
26 involving theft of or from a trap, or molestation of a trap,
27 and until adjudicated for such a violation or, upon receipt of
28 a judicial disposition other than dismissal or acquittal of
29 such a violation, the person, firm, or corporation committing
30 the violation is prohibited from transferring any crawfish
31 trap certificates and endorsements.

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1 4. In addition to any other penalties provided in s.
2 370.021, a commercial harvester, ~~as defined by rule~~
3 ~~68B-24.002(1), Florida Administrative Code~~, who violates the
4 provisions of this section, or commission rules ~~the provisions~~
5 relating to spiny lobster traps ~~of chapter 68B-24, Florida~~
6 ~~Administrative Code~~, shall be punished as follows:

7 a. If the first violation is for violation of
8 subparagraph 1. or subparagraph 2., the commission shall
9 assess an additional administrative ~~civil~~ penalty of up to
10 \$1,000 and the spiny lobster ~~crawfish~~ trap number issued
11 pursuant to s. 370.14(2) or (6) may be suspended for the
12 remainder of the current license year. For all other first
13 violations, the commission shall assess an additional
14 administrative ~~civil~~ penalty of up to \$500.

15 b. For a second violation of subparagraph 1. or
16 subparagraph 2. which occurs within 24 months of any previous
17 such violation, the commission shall assess an additional
18 administrative ~~civil~~ penalty of up to \$2,000 and the spiny
19 lobster ~~crawfish~~ trap number issued pursuant to s. 370.14(2)
20 or (6) may be suspended for the remainder of the current
21 license year.

22 c. For a third or subsequent violation of subparagraph
23 1., subparagraph 2., or subparagraph 3. which occurs within 36
24 months of any previous two such violations, the commission
25 shall assess an additional administrative ~~civil~~ penalty of up
26 to \$5,000 and may suspend the spiny lobster ~~crawfish~~ trap
27 number issued pursuant to s. 370.14(2) or (6) for a period of
28 up to 24 months or may revoke the spiny lobster ~~crawfish~~ trap
29 number and, if revoking the spiny lobster ~~crawfish~~ trap
30 number, may also proceed against the licenseholder's saltwater
31 products license in accordance with the provisions of s.

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1 370.021(2)(h).

2 d. Any person assessed an additional administrative
3 ~~civil~~ penalty pursuant to this section shall within 30
4 calendar days after notification:

5 (I) Pay the administrative ~~civil~~ penalty to the
6 commission; or

7 (II) Request an administrative hearing pursuant to the
8 provisions of ss. 120.569 and 120.57 ~~s. 120.60~~.

9 e. The commission shall suspend the spiny lobster
10 ~~crawfish~~ trap number issued pursuant to s. 370.14(2) or (6)
11 for any person failing to comply with the provisions of
12 sub-subparagraph d.

13 5.a. It is unlawful for any person to make, alter,
14 forge, counterfeit, or reproduce a spiny lobster trap tag or
15 certificate.

16 b. It is unlawful for any person to knowingly have in
17 his or her possession a forged, counterfeit, or imitation
18 spiny lobster trap tag or certificate.

19 c. It is unlawful for any person to barter, trade,
20 sell, supply, agree to supply, aid in supplying, or give away
21 a spiny lobster trap tag or certificate or to conspire to
22 barter, trade, sell, supply, aid in supplying, or give away a
23 spiny lobster trap tag or certificate unless such action is
24 duly authorized by the commission as provided in this chapter
25 or in the rules of the commission.

26 6.a. Any person who violates the provisions of
27 subparagraph 5., or any person who engages in the commercial
28 harvest, trapping, or possession of spiny lobster without a
29 spiny lobster ~~crawfish~~ trap number as required by s. 370.14(2)
30 or (6) or during any period while such spiny lobster ~~crawfish~~
31 trap number is under suspension or revocation, commits a

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1 felony of the third degree, punishable as provided in s.
2 775.082, s. 775.083, or s. 775.084.

3 b. In addition to any penalty imposed pursuant to
4 sub-subparagraph a., the commission shall levy a fine of up to
5 twice the amount of the appropriate surcharge to be paid on
6 the fair market value of the transferred certificates, as
7 provided in subparagraph (a)1., on any person who violates the
8 provisions of sub-subparagraph 5.c.

9 c. In addition to any penalty imposed pursuant to
10 sub-subparagraph a., any person receiving any judicial
11 disposition other than acquittal or dismissal for a violation
12 of subparagraph 5. shall be assessed an administrative penalty
13 of up to \$5,000, and the spiny lobster endorsement under which
14 the violation was committed may be suspended for up to 24
15 calendar months. Immediately upon issuance of a citation
16 involving a violation of subparagraph 5. and until
17 adjudication of such a violation, and after receipt of any
18 judicial disposition other than acquittal or dismissal for
19 such a violation, the person holding the spiny lobster
20 endorsement listed on the citation is prohibited from
21 transferring any spiny lobster trap certificates.

22 7. Any certificates for which the annual certificate
23 fee is not paid for a period of 3 years shall be considered
24 abandoned and shall revert to the commission. During any
25 period of trap reduction, any certificates reverting to the
26 commission shall become permanently unavailable and be
27 considered in that amount to be reduced during the next
28 license-year period. Otherwise, any certificates that revert
29 to the commission are to be reallocated in such manner as
30 provided by the commission.

31 8. The proceeds of all administrative ~~civil~~ penalties

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1 collected pursuant to subparagraph 4. and all fines collected
2 pursuant to sub-subparagraph 6.b. shall be deposited into the
3 Marine Resources Conservation Trust Fund.

4 9. All traps shall be removed from the water during
5 any period of suspension or revocation.

6 Section 7. Section 370.143, Florida Statutes, is
7 amended to read:

8 370.143 Retrieval of spiny lobster, ~~crawfish,~~ and
9 stone crab, blue crab, and black sea bass traps during closed
10 season; commission authority; fees.--

11 (1) The Fish and Wildlife Conservation Commission is
12 authorized to implement a trap retrieval program for retrieval
13 of spiny lobster, ~~crawfish,~~ and stone crab, blue crab, and
14 black sea bass traps remaining in the water during the closed
15 season for each species. The commission is authorized to
16 contract with outside agents for the program operation.

17 (2) A retrieval fee of \$10 per trap retrieved shall be
18 assessed trap owners. However, for each person holding a spiny
19 lobster endorsement, ~~crawfish stamp number~~ or a stone crab
20 endorsement, or a blue crab endorsement issued under rule of
21 the commission, the retrieval fee shall be waived for the
22 first five traps retrieved. Traps recovered under this program
23 shall become the property of the commission or its contract
24 agent, as determined by the commission, and shall be either
25 destroyed or resold to the original owner. Revenue from
26 retrieval fees shall be deposited in the Marine Resources
27 Conservation Trust Fund and used solely for operation of the
28 trap retrieval program.

29 (3) Payment of all assessed retrieval fees shall be
30 required prior to renewal of the trap owner's saltwater
31 products license ~~and stone crab and or crawfish endorsements.~~

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1 Retrieval fees assessed under this program shall stand in lieu
2 of other penalties imposed for such trap violations.

3 (4) In the event of a major natural disaster, such as
4 a hurricane or major storm, which causes major trap losses
5 within an area declared by the Governor to be a disaster
6 emergency area, the commission shall waive the trap retrieval
7 fee. ~~In the event of a major natural disaster in an area~~
8 ~~declared by the Governor to be a disaster emergency area, such~~
9 ~~as a hurricane or major storm causing massive trap losses, the~~
10 ~~commission shall waive the trap retrieval fee.~~

11 Section 8. Paragraph (j) is added to subsection (1) of
12 section 370.0603, Florida Statutes, and paragraphs (c) and (d)
13 of subsection (2) of that section are amended, to read:

14 370.0603 Marine Resources Conservation Trust Fund;
15 purposes.--

16 (1) The Marine Resources Conservation Trust Fund
17 within the Fish and Wildlife Conservation Commission shall
18 serve as a broad-based depository for funds from various
19 marine-related and boating-related activities and shall be
20 administered by the commission for the purposes of:

21 (j) Funding for the stone crab trap reduction program
22 under s. 370.13, the blue crab effort management program under
23 s. 370.135, the spiny lobster trap certificate program under
24 s. 370.142, and the trap retrieval program under s. 370.143.

25 (2) The Marine Resources Conservation Trust Fund shall
26 receive the proceeds from:

27 (c) All fees collected pursuant to ss. 370.063,
28 370.13, 370.135, 370.142, 370.143, and 372.5704.

29 (d) All fines and penalties pursuant to ss. ~~s.~~
30 370.021, 370.13, 370.135, and 370.142.

31 Section 9. Subsection (4) of section 370.025, Florida

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1 Statutes, is amended, and subsection (5) is added to that
2 section, to read:

3 370.025 Marine fisheries; policy and standards.--

4 (4) Pursuant to s. 9, Art. IV of the State
5 Constitution, the commission has ~~full constitutional~~
6 rulemaking authority over marine life, and listed species as
7 defined in s. 372.072(3), except for:

8 (a) Endangered or threatened marine species for which
9 rulemaking shall be done pursuant to chapter 120; and

10 (b) The authority to regulate fishing gear in
11 residential, manmade saltwater canals which is retained by the
12 Legislature and specifically not delegated to the commission.

13 (c) Marine aquaculture products produced by an
14 individual certified under s. 597.004. This exception does not
15 apply to snook, prohibited and restricted marine species
16 identified by rule of the commission, and rulemaking authority
17 granted pursuant to s. 370.027.

18 (5) The commission shall adopt a rule establishing
19 adequate due-process procedures to be accorded to any party,
20 as defined in s. 120.52, whose substantial interests are
21 affected by any action of the commission in the performance of
22 its constitutional duties and responsibilities. The adequate
23 due-process rule shall be published in the Florida
24 Administrative Code.

25 Section 10. It is the intent of the Legislature to
26 review, prior to the 2007 legislative session, laws relating
27 to the Fish and Wildlife Conservation Commission's role in the
28 management of marine fisheries resources.

29 Section 11. Paragraph (a) of subsection (3) of section
30 921.0022, Florida Statutes, is amended to read:

31 921.0022 Criminal Punishment Code; offense severity

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1 ranking chart.--

2 (3) OFFENSE SEVERITY RANKING CHART

3

4 Florida Felony

5 Statute Degree Description

6

7 (a) LEVEL 1

8 24.118(3)(a) 3rd Counterfeit or altered state
9 lottery ticket.

10 212.054(2)(b) 3rd Discretionary sales surtax;
11 limitations, administration, and
12 collection.

13 212.15(2)(b) 3rd Failure to remit sales taxes,
14 amount greater than \$300 but less
15 than \$20,000.

16 316.1935(1) 3rd Fleeing or attempting to elude
17 law enforcement officer.

18 319.30(5) 3rd Sell, exchange, give away
19 certificate of title or
20 identification number plate.

21 319.35(1)(a) 3rd Tamper, adjust, change, etc., an
22 odometer.

23 320.26(1)(a) 3rd Counterfeit, manufacture, or sell
24 registration license plates or
25 validation stickers.

26 322.212
27 (1)(a)-(c) 3rd Possession of forged, stolen,
28 counterfeit, or unlawfully issued
29 driver's license; possession of
30 simulated identification.

31

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1	322.212(4)	3rd	Supply or aid in supplying
2			unauthorized driver's license or
3			identification card.
4	322.212(5)(a)	3rd	False application for driver's
5			license or identification card.
6	370.13(2)(c)1.	3rd	Molest any stone crab trap, line,
7			or buoy which is property of
8			licenseholder.
9	370.135(1)	3rd	Molest any blue crab trap, line,
10			or buoy which is property of
11			licenseholder.
12	372.663(1)	3rd	Poach any alligator or
13			crocodilia.
14	414.39(2)	3rd	Unauthorized use, possession,
15			forgery, or alteration of food
16			stamps, Medicaid ID, value
17			greater than \$200.
18	414.39(3)(a)	3rd	Fraudulent misappropriation of
19			public assistance funds by
20			employee/official, value more
21			than \$200.
22	443.071(1)	3rd	False statement or representation
23			to obtain or increase
24			unemployment compensation
25			benefits.
26	509.151(1)	3rd	Defraud an innkeeper, food or
27			lodging value greater than \$300.
28	517.302(1)	3rd	Violation of the Florida
29			Securities and Investor
30			Protection Act.
31	562.27(1)	3rd	Possess still or still apparatus.

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1	713.69	3rd	Tenant removes property upon
2			which lien has accrued, value
3			more than \$50.
4	812.014(3)(c)	3rd	Petit theft (3rd conviction);
5			theft of any property not
6			specified in subsection (2).
7	812.081(2)	3rd	Unlawfully makes or causes to be
8			made a reproduction of a trade
9			secret.
10	815.04(4)(a)	3rd	Offense against intellectual
11			property (i.e., computer
12			programs, data).
13	817.52(2)	3rd	Hiring with intent to defraud,
14			motor vehicle services.
15	817.569(2)	3rd	Use of public record or public
16			records information to facilitate
17			commission of a felony.
18	826.01	3rd	Bigamy.
19	828.122(3)	3rd	Fighting or baiting animals.
20	831.04(1)	3rd	Any erasure, alteration, etc., of
21			any replacement deed, map, plat,
22			or other document listed in s.
23			92.28.
24	831.31(1)(a)	3rd	Sell, deliver, or possess
25			counterfeit controlled
26			substances, all but s. 893.03(5)
27			drugs.
28	832.041(1)	3rd	Stopping payment with intent to
29			defraud \$150 or more.
30	832.05		
31	(2)(b)&(4)(c)	3rd	Knowing, making, issuing
			30
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1			worthless checks \$150 or more or
2			obtaining property in return for
3			worthless check \$150 or more.
4	838.15(2)	3rd	Commercial bribe receiving.
5	838.16	3rd	Commercial bribery.
6	843.18	3rd	Fleeing by boat to elude a law
7			enforcement officer.
8	847.011(1)(a)	3rd	Sell, distribute, etc., obscene,
9			lewd, etc., material (2nd
10			conviction).
11	849.01	3rd	Keeping gambling house.
12	849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc.,
13			or assist therein, conduct or
14			advertise drawing for prizes, or
15			dispose of property or money by
16			means of lottery.
17	849.23	3rd	Gambling-related machines;
18			"common offender" as to property
19			rights.
20	849.25(2)	3rd	Engaging in bookmaking.
21	860.08	3rd	Interfere with a railroad signal.
22	860.13(1)(a)	3rd	Operate aircraft while under the
23			influence.
24	893.13(2)(a)2.	3rd	Purchase of cannabis.
25	893.13(6)(a)	3rd	Possession of cannabis (more than
26			20 grams).
27	934.03(1)(a)	3rd	Intercepts, or procures any other
28			person to intercept, any wire or
29			oral communication.

Section 12. This act shall take effect July 1, 2006.

31

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

2 And the title is amended as follows:

3 Delete everything before the enacting clause

4

5 and insert:

6 A bill to be entitled

7 An act relating to saltwater fisheries;

8 providing for ratification of a rule; requiring

9 that rule amendments be submitted to the

10 Legislature for review; providing conditions

11 for rule amendments to take effect; amending s.

12 370.135, F.S.; establishing certain endorsement

13 fees for the taking of blue crabs; establishing

14 an annual trap tag fee; authorizing the Fish

15 and Wildlife Conservation Commission to

16 establish an amount of equitable rent by rule;

17 providing for legislative approval of the rule;

18 authorizing the commission to waive endorsement

19 and trap tag fees for a 1-year period;

20 authorizing the waiver of blue crab trap

21 replacement tag fees under certain conditions;

22 requiring the deposit of certain proceeds into

23 the Marine Resources Conservation Trust Fund;

24 specifying the use of such proceeds; providing

25 administrative penalties for certain

26 violations; prohibiting the unauthorized

27 possession of blue crab trap gear or removal of

28 blue crab trap contents and providing penalties

29 therefor; providing penalties for certain other

30 prohibited activities relating to blue crab

31 traps, lines, buoys, and trap tags; providing

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1 penalties for fraudulent reports related to
2 endorsement transfers; prohibiting certain
3 activities during endorsement suspension and
4 revocation; preserving state jurisdiction for
5 certain convictions; providing requirements for
6 certain license renewal; appropriating certain
7 fee revenues to the commission for blue crab
8 effort management program costs; amending s.
9 370.13, F.S.; providing for legislative
10 approval of commission rules establishing
11 equitable rent; authorizing the waiver of stone
12 crab trap replacement tag fees under certain
13 conditions; amending s. 370.14, F.S.;
14 clarifying provisions regulating spiny
15 lobsters; amending s. 370.142, F.S.; providing
16 administrative penalties for certain violations
17 of the spiny lobster trap certificate program;
18 authorizing the waiver of spiny lobster trap
19 replacement tag fees under certain conditions;
20 providing for legislative approval of rules
21 establishing equitable rent; amending s.
22 370.143, F.S.; revising provisions for certain
23 trap retrieval programs and fees; amending s.
24 370.0603, F.S.; authorizing the deposit of
25 certain funds into the Marine Resources
26 Conservation Trust Fund; providing purposes for
27 which funds may be used; amending s.370.025,
28 F.S.; revising rulemaking authority; requiring
29 the commission to adopt an adequate due-process
30 rule; providing legislative intent; amending s.
31 921.0022, F.S.; deleting certain Level One

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1 offense designations; providing an effective
2 date.

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