

Bill No. CS for CS for CS for SB 2490

Barcode 535402

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|---------------|----------------|--------------|
|               | CHAMBER ACTION |              |
| <u>Senate</u> |                | <u>House</u> |

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| 3  | Floor: 3/AD/2R      |
| 4  | 05/03/2006 03:22 PM |
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11 Senator Argenziano moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 On page 29, lines 11 through 21, delete those lines

15  
16 and insert:

17 Section 10. Paragraph (a) of subsection (8) of section  
18 20.331, Florida Statutes, is amended to read:

19 20.331 Fish and Wildlife Conservation Commission.--

20 (8) ADEQUATE DUE PROCESS PROCEDURES.--

21 (a) The commission shall adopt a rule establishing  
22 adequate due-process procedures to be accorded to any party,  
23 as defined in s. 120.52, whose substantial interests are  
24 affected by any action of the commission in the performance of  
25 its constitutional duties and responsibilities. The adequate  
26 due-process rule shall be published in the Florida  
27 Administrative Code. ~~The commission shall implement a system~~  
28 ~~of adequate due process procedures to be accorded to any~~  
29 ~~party, as defined in s. 120.52, whose substantial interests~~  
30 ~~will be affected by any action of the commission in the~~  
31 ~~performance of its constitutional duties or responsibilities.~~

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1           Section 11. It is the intent of the Legislature to  
2 review, prior to the 2008 Regular Session, laws relating to  
3 the Fish and Wildlife Conservation Commission's role in the  
4 management of marine fishery resources to conform statutes to  
5 clarify that the power with respect to marine life which the  
6 Marine Fisheries Commission had on March 1, 1998 did not  
7 include the power which the Legislature had given to the  
8 Department of Environmental Protection to regulate marine  
9 life, and that the authority transferred by the Legislature  
10 from the Department of Environmental Protection to the Fish  
11 and Wildlife Conservation Commission is statutory and not  
12 constitutional.

13

14 (Redesignate subsequent sections.)

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

18 And the title is amended as follows:

19           On page 2, line 23, delete that line

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21 and insert:

22           F.S.; revising rulemaking authority; amending

23           s. 20.331, F.S.; requiring

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