

1 (a) "Biomedical waste" means any solid or liquid waste
2 as defined in s. 381.0098(2)(a).

3 (b) "Coastal waters" means waters of the Atlantic
4 Ocean or the Gulf of Mexico within the jurisdiction of the
5 state.

6 (c) "Department" means the Department of Environmental
7 Protection.

8 (d) "Gambling" or "gambling device" means any game of
9 chance and includes, but is not limited to, cards, keno,
10 roulette, faro, slot machines, video poker, or blackjack
11 machines played for money or thing of value. The term
12 "gambling" does not include penny-ante games, as defined in s.
13 849.085(2)(a).

14 (e) "Gambling vessel" means a boat, ship, casino boat,
15 watercraft, or barge kept, operated, or maintained for the
16 purpose of gambling and that carries or operates gambling
17 devices for the use of its passengers or otherwise provides
18 facilities for the purpose of gambling, whether within or
19 without the jurisdiction of this state, and whether it is
20 anchored, berthed, lying to, or navigating, and the sailing,
21 voyaging, or cruising, or any segment of the sailing,
22 voyaging, or cruising begins and ends within this state.

23 (f) "Hazardous waste" means any solid waste as defined
24 in s. 403.703(21).

25 (g) "Oily bilge water" means bilge water that contains
26 used lubrication oils, oil sludge and slops, fuel and oil
27 sludge, used oil, used fuel and fuel filters, and oily waste.

28 (h) "Release" means any discharge of liquids or
29 solids, however caused, from a gambling vessel and includes
30 any escape, disposal, spilling, leaking, pumping, emitting, or
31 emptying.

1 (i) "Sewage" means human body waste and the waste from
2 toilets and other receptacles intended to receive or retain
3 human body waste and includes any material that has been
4 collected or treated through a marine sanitation device, as
5 that term is used in Section 312 of the Clean Water Act, 33
6 U.S.C. s. 1322, or that is a byproduct of sewage treatment.

7 (j) "Treated blackwater" means that part of treated
8 sewage carried off by toilets, urinals, and kitchen drains.

9 (k) "Treated graywater" means that part of treated
10 sewage that is not blackwater, including waste from the bath,
11 lavatory, laundry, and sink, except kitchen sink waste.

12 (l) "Untreated blackwater" means that part of
13 untreated sewage carried off by toilets, urinals, and kitchen
14 drains.

15 (m) "Untreated graywater" means that part of untreated
16 sewage that is not blackwater, including waste from the bath,
17 lavatory, laundry, and sink, except kitchen sink waste.

18 (3) REGISTRATION REQUIREMENTS.--

19 (a) For each calendar year in which the owner or
20 operator of a gambling vessel intends to operate, or cause or
21 allow to be operated, the gambling vessel in coastal waters,
22 the owner or operator of the vessel shall register with the
23 department. The registration shall be completed before any
24 commercial passenger vessel of the owner or operator enters
25 the marine waters of the state in that calendar year. The
26 registration shall include the following information:

27 1. The vessel owner's business name, and, if
28 different, the vessel operator's business name for each
29 gambling vessel of the owner or operator that is scheduled to
30 be in coastal waters during the calendar year.

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1 2. The postal address, e-mail address, telephone
2 number, and facsimile number for the principal place of each
3 business identified in subparagraph 1.

4 3. The name and address of an agent for service of
5 process for each business identified under subparagraph 1. The
6 owner and operator shall continuously maintain a designated
7 agent for service of process whenever a gambling vessel of the
8 owner or operator is in coastal waters, and the agent shall be
9 an individual resident of this state, a domestic corporation,
10 or a foreign corporation having a place of business in and
11 authorized to do business in this state.

12 4. The name or call sign, port of registry, and
13 passenger and crew capacity for each of the owner's or
14 operator's vessels scheduled either to call upon a port in
15 this state or otherwise to be in coastal waters during the
16 calendar year and after the date of registration.

17 5. The description of all waste treatment systems for
18 each vessel identified under subparagraph 4., including system
19 type, design, operation, location of all discharge pipes and
20 valves, and number and capacity of all storage areas and
21 holding tanks.

22 (b) Registration under paragraph (a) shall be executed
23 under oath by the owner or operator or designated
24 representative thereof.

25 (c) Upon request of the department, the registrant
26 shall submit registration information required under this
27 subsection electronically.

28 (4) REQUIRED RELEASES.--

29 (a) All sewage, oily bilge water, untreated or treated
30 graywater, untreated or treated blackwater, hazardous waste,
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1 or biomedical waste from any gambling vessel shall be held for
2 release until return to a port facility.

3 (b) Upon return to a port facility, gambling vessels
4 shall release all sewage, oily bilge water, untreated or
5 treated graywater, untreated or treated blackwater, hazardous
6 waste, and biomedical waste in accordance with the procedures
7 of the port facility.

8 (c) Port authorities shall establish procedures,
9 including a process for verification of the contents released,
10 for the release of sewage, oily bilge water, untreated or
11 treated graywater, untreated or treated blackwater, hazardous
12 waste, and biomedical waste from gambling vessels at port
13 facilities.

14 (d) Port authorities shall establish and collect a fee
15 not to exceed the costs associated with disposal of the
16 required releases from gambling vessels.

17 (5) PROHIBITED RELEASES.--

18 (a) An owner or operator of a gambling vessel may not
19 release, or permit anyone to release, any sewage, oily bilge
20 water, untreated or treated graywater, untreated or treated
21 blackwater, hazardous waste, or biomedical waste from the
22 vessel into coastal waters.

23 (b) If a gambling vessel releases any sewage, oily
24 bilge water, untreated or treated graywater, untreated or
25 treated blackwater, hazardous waste, or biomedical waste into
26 coastal waters, the owner or operator shall immediately, but
27 no later than 24 hours after the release, notify the
28 department of the release. The owner or operator shall include
29 all of the following information in the notification:

30 1. Date of the release.

31 2. Time of the release.

1 3. Location of the release.
2 4. Volume of the release.
3 5. Source of the release.
4 6. Remedial actions taken to prevent future releases.
5 (6) PENALTIES.--
6 (a) A person who violates this section is subject to a
7 civil penalty of not more than \$25,000 for each violation.
8 (b) The civil penalty imposed for each separate
9 violation of this section is separate from, and in addition
10 to, any other civil penalty imposed for a separate violation
11 under this subsection or any other provision of law.
12 (c) In determining the amount of a civil penalty
13 imposed under this subsection, the court shall take into
14 consideration all relevant circumstances, including, but not
15 limited to, the nature, circumstances, extent, and gravity of
16 the violation. In making this determination, the court shall
17 consider the degree of toxicity and volume of the release, the
18 extent of harm caused by the violation, whether the effects of
19 the violation may be reversed or mitigated, and, with respect
20 to the defendant, the ability to pay, the effect of a civil
21 penalty on the ability to continue in business, all voluntary
22 cleanup efforts undertaken, the prior history of violations,
23 the gravity of the behavior, the economic benefit, if any,
24 resulting from the violation, and all other matters the court
25 determines justice may require.
26 (7) APPLICABILITY.--This section does not apply to
27 releases made for the purpose of securing the safety of the
28 gambling vessel or saving life at sea if all reasonable
29 precautions have been taken for the purpose of preventing or
30 minimizing the release.
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1 (8) RULES.--The department shall adopt rules pursuant
2 to ss. 120.536(1) and 120.54 to implement and administer this
3 section.

4 Section 2. This act shall take effect January 1, 2007.
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