

By the Committee on General Government Appropriations; and  
Senator Alexander

601-2189-07

1   A bill to be entitled  
2           An act relating to vessels; amending s. 328.72,  
3           F.S.; imposing an additional surcharge on the  
4           vessel registration fee to be deposited into  
5           the Marine Resources Conservation Trust Fund  
6           within the Fish and Wildlife Conservation  
7           Commission; authorizing the commission to  
8           retain a percentage of the funds to cover  
9           certain costs of the grant program; amending s.  
10          376.15, F.S.; requiring that a program for the  
11          removal of derelict vessels established by the  
12          commission be funded in part from the Marine  
13          Resources Conservation Trust Fund; providing an  
14          effective date.

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16 Be It Enacted by the Legislature of the State of Florida:

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18           Section 1. Subsection (9) of section 328.72, Florida  
19 Statutes, is amended to read:

20           328.72 Classification; registration; fees and charges;  
21 surcharge; disposition of fees; fines; marine turtle  
22 stickers.--

23           (9)(a) SURCHARGE.--In addition, there is hereby levied  
24 and imposed on each vessel registration fee imposed under  
25 subsection (1) a surcharge in the amount of \$1, which shall be  
26 collected in the same manner as the fee and deposited into the  
27 State Agency Law Enforcement Radio System Trust Fund of the  
28 Department of Management Services.

29           (b) In addition, there is levied and imposed on each  
30 vessel registration fee imposed under subsection (1) a  
31 surcharge in the amount of \$2, which shall be collected in the

1 same manner as the fee and deposited into the Marine Resources  
2 Conservation Trust Fund within the Fish and Wildlife  
3 Conservation Commission for the purpose of funding the  
4 derelict vessel grant program established under s. 376.15(2).  
5 From these funds the Fish and Wildlife Conservation Commission  
6 may retain up to 10 percent to cover the administrative costs  
7 of the grant program.

8 Section 2. Subsection (2) of section 376.15, Florida  
9 Statutes, is amended to read:

10 376.15 Derelict vessels; removal from public waters.--

11 (2)(a) The Fish and Wildlife Conservation Commission  
12 and its officers and all law enforcement officers as specified  
13 in s. 327.70 are authorized and empowered to remove any  
14 derelict vessel as defined in s. 823.11(1) from public waters.  
15 All costs incurred by the commission or other law enforcement  
16 agency in the removal of any abandoned or derelict vessel  
17 shall be recoverable against the owner of the vessel. The  
18 Department of Legal Affairs shall represent the commission in  
19 such actions.

20 (b) The commission may establish a program to provide  
21 grants to local governments for the removal of derelict  
22 vessels from the public waters of the state. The program shall  
23 be funded from the Florida Coastal Protection Trust Fund and  
24 the Marine Resources Conservation Trust Fund. Notwithstanding  
25 ~~the provisions in s. 216.181(11)~~, funds available for grants  
26 may only be authorized by appropriations acts of the  
27 Legislature.

28 (c) The commission shall adopt by rule procedures for  
29 submitting a grant application and criteria for allocating  
30 available funds. Such criteria shall include, but not be  
31 limited to, the following:

1           1. The number of derelict vessels within the  
2 jurisdiction of the applicant.

3           2. The threat posed by such vessels to public health  
4 or safety, the environment, navigation, or the aesthetic  
5 condition of the general vicinity.

6           3. The degree of commitment of the local government to  
7 maintain waters free of abandoned and derelict vessels and to  
8 seek legal action against those who abandon vessels in the  
9 waters of the state.

10           (d) This section shall constitute the authority for  
11 such removal but is not intended to be in contravention of any  
12 applicable federal act.

13           Section 3. This act shall take effect July 1, 2007.

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15                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
16                   COMMITTEE SUBSTITUTE FOR  
17                   Senate Bill 1104

18 Authorizes a \$2 surcharge on each vessel registration as a  
19 dedicated funding source for the derelict vessel grant program  
established pursuant to s. 376.15(s), F.S.

20 Requires that these funds be deposited into the Marine  
21 Resources Conservation Trust Fund within the Fish and Wildlife  
Conservation Commission.

22 Includes the Marine Resources Conservation Trust Fund as an  
23 applicable fund source for the derelict vessel program.

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