

1
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.

15
16 Be It Enacted by the Legislature of the State of Florida:

17
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.
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31