

Bill No. CS for CS for CS for SB 1980

Barcode 875752

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

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05/01/2007 10:12 AM

11 Senator Saunders moved the following amendment:

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

14 On page 39, line 23 through page 40, line 7, delete

15

16 and insert:

17 Section 18. Subsection (8) of section 20.331, Florida

18 Statutes, is amended and renumbered as subsection (9), present

19 subsections (9), (10), and (11) are renumbered as (10), (11),

20 and (12), respectively, and a new subsection (8) is added to

21 that section, to read:

22 20.331 Fish and Wildlife Conservation Commission.--

23 (8) LEGISLATIVE AUTHORITY.--The constitutional power

24 granted to the Fish and Wildlife Conservation Commission does

25 not include any authority over marine life retained by the

26 Legislature or vested in any agency other than the Marine

27 Fisheries Commission on March 1, 1998, or any authority over

28 marine aquaculture retained by the Legislature and vested in

29 any other agency as of July 1, 1999.

30 (9)(8) ADEQUATE DUE PROCESS PROCEDURES.--

31 (a) The commission shall adopt a rule establishing

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1 ~~implement a system of adequate~~ due process procedures to be
 2 accorded to any party, as defined in s. 120.52, whose
 3 substantial interests are ~~will be~~ affected by any action of
 4 the commission in the performance of its constitutional duties
 5 or responsibilities, and the adequate due process procedures
 6 adopted by rule shall be published in the Florida
 7 Administrative Code.

8 (b) The Legislature encourages the commission to
 9 incorporate into its process the provisions of s. 120.54(3)(c)
 10 when adopting rules in the performance of its constitutional
 11 duties or responsibilities.

12 (c) The commission shall follow the provisions of
 13 chapter 120 when adopting rules in the performance of its
 14 statutory duties or responsibilities. ~~For purposes of this~~
 15 ~~subsection,~~ The commission's statutory duties or
 16 responsibilities include, but are not limited to:

17 1. Research and management responsibilities for marine
 18 species listed as endangered or threatened, including manatees
 19 and marine turtles.~~†~~

20 2. Establishment and enforcement of boating safety
 21 regulations.~~†~~

22 3. Land acquisition.~~†~~

23 4. Enforcement and collection of fees for all
 24 commercial and recreational hunting or fishing licenses or
 25 permits.~~†~~

26 5. Aquatic plant removal using fish as a biological
 27 control agent.~~†~~

28 6. Enforcement of penalties for violations of
 29 commission rules and state laws, including, but not limited
 30 to, the seizure and forfeiture of vessels and other equipment
 31 used to commit those violations.~~†~~

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- 1 7. Establishment of free fishing days.†
- 2 8. Regulation of off-road vehicles on state lands.†
- 3 9. Establishment and coordination of a statewide
- 4 hunter safety course.†
- 5 10. Establishment of programs and activities to
- 6 develop and distribute public education materials.†
- 7 11. Police powers of sworn law enforcement officers.†
- 8 12. Establishment of citizen support organizations to
- 9 provide assistance, funding, and promotional support for
- 10 programs of the commission.†
- 11 13. Creation of the voluntary authorized hunter
- 12 identification program.†~~and~~
- 13 14. Regulation of required clothing of persons hunting
- 14 deer.

15
16 (Redesignate subsequent sections.)

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18
19 ===== T I T L E A M E N D M E N T =====

20 And the title is amended as follows:

21 On page 3, line 23 through 26, delete those lines

22
23 and insert:

24 amending s. 20.331, F.S.; clarifying the
25 commission's constitutional authority over
26 marine life; requiring the commission to adopt
27 and publish a rule establishing due process
28 procedures; revising the commission's statutory
29 duties and responsibilities; providing an
30 effective date.